Crime – 1931

Alabama

5,724 Crowd State's Prisons

Convict Population Climbs Steadily; More Flooding Cells As Camps Close

A steadily growing Alabama prison population had reached 5,724 on Aug. 5 of this year, the highest mark in the history of the State and every Alabama prison and prison farm is caring for almost double the number of prisoners it was designed for.

William F. Feagin, director of the State Board of Administration, who has control of the convict system, announced the total prison population Saturday and said that there are 1,949 white males, 36 white females, 3,550 colored males and 189 colored females in prison, of which number 4,883 are State convicts and 841 are county convicts.

It was announced that on Aug. 5, 1931 there were 1,516 colored male prisoners assigned and employed at the 16 convict road construction camps, 500 of whom are now being transferred to Atmore, Kilby, Speigner, Wetumpka and No. 4 farm, due to discontinuance of six road camps.

On Aug. 5 there were 1,012 male prisoners at Atmore Prison, a prison originally designed to care for approximately 350. On the same day there were 1,456 male prisoners at Kilby, a prison originally designed to care for approximately 350. There were confined at Prison No 4, a total of 489 male prisoners where it was originally intended to house 300. At Speigner there were 698 male prisoners on Aug. 5 in a prison originally designed to care for approximately 500 men. At Wetumpka on Aug. 5 there were 505 prisoners crowded into old portions of the original cells left following a fire in January of this year and in temporary barracks built since the fire.

The 500 prisoners being taken from road construction camps through lack of money to operate the camps will be crowded into the prisons named above.

White Man Held For Church Fire

Returning yesterday from an investigation of the burning last Saturday night of Bethlehem Church, a negro place of worship located in the Eastern part of Butler County, State Fire Marshal R. C. Searcy announced the arrest of Willie Bush, a white man, on a charge of second degree arson, in connection with the fire.

9-4-31

Bush whose bond was fixed at $1,500, was committed to the Butler County jail at Greensboro. He is a resident of Crenshaw County, his home being near Black Rock, it is stated. Motive for the burning of the church, the destruction of which resulted in a loss of several thousand dollars, has not been determined.

Montgomery

The fire marshal, who was assisted in the investigation by Deputy Marshal W. R. West said his office is also investigating the burning of another negro church last Saturday night, near Rutledge, in Crenshaw County.

Squirrel Hunter Shoots Warden

10-10-31

Two Negroes Take Crack At Official Patrolling Woodland Near Decatur

Fired upon by two negroes whom was attempting to arrest early yesterday morning near Decatur for shooting squirrels out of season, District Game Warden Henry Schweitzer was painfully wounded by charges of small-shot which took effect in his stomach and legs.

Report of the encounter, which was made to Commissioner of Game and Fisheries I. T. Quinn soon after it occurred, brought the information that while the District Warden's injuries were painful they were not regarded as serious.

At the request of sportsmen residing in that section of the State, bloodhounds were procured to aid in the capture of the negroes. The dogs soon picked up the trail of the fugitives, one of whom was overtaken and arrested during the early afternoon. It was expected that the other would be taken into custody before nightfall.

Mr. Schweitzer was patrolling a section of woodland within a few miles of Decatur, at about 7 o'clock yesterday morning when he located the two negroes. They sighted him when he was still some 70 yards away and recognizing him as a game warden, both fired at him and then turned and ran.

The injured warden was able to reach his car and drive to Decatur where his wounds were dressed by Dr. A. J. Dinsmore, well known local sportsman.

As the news of the shooting spread, sportsmen and other citizens of Decatur gathered, and with the sheriff secured the bloodhounds from Moulton. One negro was trailed directly to his home, where a long barreled pump gun that had been recently fired, was found, also shells similar to those dropped from the guns at the scene of the shooting. The negro was lodged in the county jail.

Mr. Schweitzer's territory as District Game Warden, comprises the counties of Morgan and Cullman, and he maintains headquarters in the city of Cullman. He has done excellent work in the conservation of game, it is stated, and is popular with the sportsmen in that section, who are reported to be much incensed at the shooting yesterday of which he was the victim.

The squirrel hunting season in Alabama does not open until Nov. 1. It continues thereafter, until Jan. 31 following.

Bandits Stage Two Desperate Holdups Here

10-31-31

Negroes Empty Shotgun At Fleeing Employe Of Store, Shattering Glass

'Target' Uninjured

Crowded Grocery Invaded By Two White Men Who Flee In Dusk With $50

Two white bandits, one of them armed with a revolver, entered the Hill Grocery at 401 North Decatur Street shortly after dark last night while several women customers were in the store, held up the manager and fled with $50.

Only a few minutes before the Hill Grocery holdup, two negroes, one of them brandishing a shotgun, held up the Spick and Span Delicatessen, Fifth and Pineleaf Streets, and fired at a negro employe of the store before being frightened away. The charge from the gun destroyed a glass showcase but did not injure anyone.

The robbers who held up the grocery manager, entered the store while two assistants and several customers were in the building.

One of the men, described to officers as being about 40 years of age and wearing a brown hat, leveled a pistol at the clerks and customers and ordered them to stand against a side wall of the store with their hands above their heads. The "trigger" finger was missing from his right hand, officers were told.

One of the bandits ordered E. E. Pattillo, manager of the store, to stand in line with the customers while his companion looted the cash register. The robbers then turned to run and sidestepped two women customers who were entering the store. They ran west on Columbus Street, passing several pedestrians.

Mrs. Evelyn Cowles, owner of the Spick and Span Delicatessen, and her sister, Mrs. Meida McDaniels, and a negro porter, Henry Wright, were in the shop when the negro gunmen attempted to rob them.

One of the negroes entered the store first on pretense of making purchases, Mrs. Cowles told officers, and was followed several minutes later by his accomplice, armed with a sawed-off shotgun.

The armed negro ordered the two women and the porter to "hold 'em up." Mrs. McDaniels and Mrs. Cowles held hands above their heads but the negro employe attempted to run across the room out of range of the gun. The negro fired, the shots tearing into a showcase. No one was struck by the bullets.

Motorscouts Chesser and Thorn investigated the delicatessen holdup and Plainclothesmen W. H. Collins and H. E. Goddard answered a call to the grocery.

Negro Arrested Here Admits Looting Safes

A negro, who police said has admitted the looting of two safes and the burglary of a store several nights ago at Sprague Junction was arrested yesterday by local detectives.

The prisoner, docketed at County Jail on a general holding charge, gave his name to officers as Sam McCant. He was arrested by Detectives E. P. and W. A. Davis, and Detectives Meadows and Alford. The detectives recovered several articles which were identified by C. K. McLaney as part of the loot taken from his store at Sprague Junction.

White Girl Shot By Black Thug

11-25-31

Fairview Avenue Grocer's Daughter Wounded As Negroes Hold Up Store

Miss Jessie Robards, pretty 18-year old daughter of a Fairview Avenue grocer, was wounded last night during a gun battle between herself and one of four negro bandits who attempted to rob her father's store. The robber was believed to have been wounded but he escaped with his three companions.

Miss Robards, a former student of Cloverdale High School, was in the grocery with her father, M. D. Robards, former railroad man, and her mother when the stick-up men entered.

Two of the negroes entered the store, the girl's father told Detectives Davis and Alford, and pretended to purchase 10 cents worth of bologna sausage. The pair was followed by the two other negroes, both whom were armed with automatic pistols.

"Stick 'em up," one of the bandits ordered pointing a pistol at Robards. Robards, behind a counter, held his arms up but Miss Robards, behind the same counter several feet away, seized her father's pistol and opened fire at one of the bandits.

The negro turned his pistol on the girl and sent a bullet in her direction. It grazed her forehead. Mrs. Robards was sitting in the rear of the room.

All four of the men fled and detectives believed that the bandit who exchanged shots with the girl, was wounded. An examination of the room failed to produce a bullet.

An ambulance was summoned and Miss Robards was taken to St. Margaret's Hospital where physicians said her condition was believed to be not serious.

Police said the description of the four negroes fitted descriptions of four bandits who held up I. Axelrod, another grocer Monday night and escaped with $25. Automatic pistols were used by the men who staged both holdups.

Detectives immediately began a search for the robbers and were checking hospitals and physician's offices last night for the wounded negro.

Negro Gets Death Penalty In Butler

GREENVILLE, ALA., Dec. 5.—(AP)—Dove Ballard, negro, whose efforts to fight return to Alabama for trial delayed the extradition for nearly two weeks, yesterday was sentenced to death in Butler County Circuit Court for the slaying of Deputy Sheriff Charlie Simms near Georgiana last August.

The jury was out several hours before returning a verdict. Date of execution was not fixed pending a motion for a new trial.

Ballard's case attracted attention when Gov. Brucker, of Michigan, after a hearing at which attorneys for the Society for the Advancement of Colored People contended he would not be given a fair trial or would be lynched, held up his decision pending an investigation.

A special investigator came here to ascertain conditions and after his return to Michigan the requisition issued by Gov. Miller was honored.

Ballard's defense was that the officer, who had gone to the Ballard home in response to a complaint that the negro was beating his wife, was killed by a bullet intended for the wife.

Must Return To Alabama To Face Charge Of Murder

LANSING, Mich.—(ANP)—Following closely upon the return of his agent from Alabama, Governor Wilbur M. Brucker ordered Dave Ballard to be returned to Georgiana, Ala., for trial on charges of murdering a deputy sheriff.

The case has been hanging fire for some weeks. Attorneys for the defendant declared that if he were returned to Alabama he would either be lynched or "railroaded to the electric chair." The Michigan governor advised the chief executive of Alabama of the charges and was assured that Ballard would be given a fair trial.

Upon the reception of these assurances, Governor Brucker sent an agent to the southern commonwealth to investigate the situation. The agent returned last Tuesday and assured the governor that Ballard would be given a fair trial and Governor Brucker signed the extradition papers.

Negro Woman Is Slain In Prison At Wetumpka

WETUMPKA, ALA., Dec. 21.—(AP)—Prison authorities reported today that Hattie Childs, 21-year-old negro woman serving a life sentence for murder, was stabbed to death with a pair of scissors by Martha Walker, 21, another negro inmate of the State prison for women here.

Warden Dennison said the Childs woman was stabbed six times following a quarrel between the women in the prison cotton mill. Both women were sent up from Jefferson County, the Walker woman serving a two to three-year sentence for burglary.

2 Negro Bandits Rob Man Of $4

Walter Robertson, 603 Houston Street, reported to police last night, that he had been held up and robbed of $4 by two negro men, one of whom poked a shining revolver against his side while the other rifled his pockets.

The theft of a .38 caliber revolver by a burglar who entered the home of H. G. Thompson, 911 South Court Street, was also reported to police. Police were told the burglar entered the house through a rear bedroom window and was seen by a neighbor as he made his exit through the window.

Jennie Mae Daniels, 6 Carr's Alley, told police somebody entered her house, using a master key, and took most of her wearing apparel.

Alabama Paroles Pass 1,000 Mark

Christmas paroles granted by Gov. Miller passed the 1,000 mark at 5 p.m. yesterday when the total stood at 1,012.

The total is made up of the following: Temporary paroles until Jan. 15, 1932, when the prisoners are to resume their sentences, 142; permanent paroles 97; paroles of three and a half days each to "trusties," employes at the capitol, 34; test paroles of 12 months each, 3; test paroles of 6 months, 1; county convicts paroled to July 15, 1932, temporarily, 735.

In addition to the Capitol "trusties" given temporary paroles, another was granted a permanent parole yesterday. He is John Greene, negro "lifer" who was sent up from Mobile County Nov. 25, 1922, following his conviction of first degree murder. Greene has for a long while served as porter for the Attorney General's Department.

Besides the pardoning of Babe Whitehead, of Geneva County, paroled some five years ago, the Governor issued permanent paroles yesterday to the following: Joe Paine, Dallas County; Lee Benson, Jefferson; Leonard Guy, Jefferson; Georgiana Wallace, Mobile; Henry Hickman, Shelby; Alonzo Moss, Tallapoosa; Earsline Hill, Jefferson; W. T. Crick, Tuscaloosa; Minnie Lee Thompson, Coffee; Lawrence L. Highnote, Mobile; Albert Johnson, Mobile; Louis Belvin, Lee; John Wilcox, Jefferson; Fred Wallace, Jefferson; Jessie Wells, Jefferson; Latham Smith, Jefferson.

Temporary paroles expiring Jan. 15 were granted to the following: Kinley Thomas, Elmore; John George, Bibb; Lester Walker, Covington; Sol Walker, Morgan; H. C. Wigley, Jefferson; Charlie Winnagle, Tuscaloosa; Henry White, Jefferson; Herbert Williams, Conecuh; Henry Brown, Jackson; Mattie Hudson, Blount; James East, Walker; Homer Thomas, Marshall; Archie Bray, Jefferson; Jiles Bryan, Coffee; Sam Irwin, Jefferson; Dan Clenney, Madison; Alton Clark, Marshall.

Negro Gets Life Term In Tuscaloosa Slaying

TUSCALOOSA, ALA., Dec. 18.—(AP)—Sam White, negro, today was sentenced to life imprisonment on conviction of the slaying of Justice of the Peace John W. Callahan, of Searles, in October.

State witnesses testified that the negro shot the justice with a shotgun at a distance of 10 feet. White claimed self defense, but eye witnesses testified that Callahan fired three times at the negro as he fell from the wound that caused his death.

NEGRO CONVICTED

BIRMINGHAM, ALA., Dec. 18.—(AP)—Jim Curry, negro, today was convicted of an attempt to attack a white woman and was sentenced to 20 years in prison. Curry was charged with waylaying Mrs. Lizzie Cowart near her home at Mineral Springs. He was identified from the witness stand by Mrs. Cowart.

TRAMPS HOLD UP NEGRO

Arthur Benjamin, negro, reported to police last night that he had been held up and robbed of $4 by two white tramps at Court and Lundy Streets. Captain Murrell and Officers Simpson and Goins investigated.

SELMA, ALA.
TIMES-JOURNAL

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A COSTLY SYSTEM

A Dallas county negro who has just served a 30-day sentence on the state farm near Wetumpka for some minor offense is back home sporting a new suit of clothes, new shoes, cap, shirt, underwear, all a Christmas present from the state. The negro was given bus fare back home and 50 cents when released. The negro fought hard to escape being "sent up" but now admits his apprehensions were unfounded, and is pleased with his experience. The court, sheriff and clerks also got fees out of the transaction, but the tax-payers of the state who have to foot the bills of such abortive proceedings got it in the neck. It would not be possible to get accurate figures showing the losses the state suffers because of its archaic system of handling persons convicted of crime. The Brookings Institute may find here a fruitful field for study and relief in looking for ways to bring down the costs of government.

Crime-1931

Three Negroes Win Reprieves Of Two Weeks

With only a few short hours of lifeleft to them, Tom May, Spencer Bates and Willie Brown, condemned negroes, were granted reprieves of two weeks each yesterday afternoon by Gov. Miller in order that he and members of the State Pardon Board might have more time to consider the records in the respective cases.

May, Bates and Brown, all of whom were convicted of murder and sentenced to death, were to have been executed in the electric chair at Kilby Prison last night just after midnight. Two members of the Board of Pardons, Atty. Gen. Knight and State Auditor Brandon, have recommended commutation of sentence to life imprisonment in the case of Brown, Houston County negro, who was convicted of killing a negro woman. Secretary of State Jarman recommended a reprieve in order that more time might be made available to study the record and file.

The only recommendation made in the cases of May and Bates was the granting of a stay of execution so that the records in these cases could be given a further study. May and Bates were found guilty of the murder in Sumter County of Thomas McKinstry, white sawmill operator, who was waylaid on his way home from work, shot to death and robbed.

At the hearing of petitions for clemency of all three negroes held before the Governor and Pardon Board at the Capitol Wednesday, it was testified that Brown intended to "beat up" the woman he was convicted of murdering, Gussie May Jackson, but that he did not intend to kill her.

Reprieves granted defers execution in the three cases to Friday, May 29.

Three Negroes Plead For Lives Before Miller And Pardon Board

Gov. Miller and members of the State Board of Pardons will act some time today in the cases of Tom May, Spencer Bates and Willie Brown, negroes, who are under sentence to die in the electric chair at Kilby Prison shortly after midnight tonight for murder. Applications for commutation of sentence of each of the negroes were heard by the Governor and the Board yesterday afternoon at the Capitol, and were taken under advisement, after the hearings which consumed more than four hours were finally concluded in the late afternoon.

May and Bates were convicted of the murder of Thomas McKinstry, white sawmill worker, in Sumter County. Brown was found guilty of killing Gussie May Jackson, negro woman in Dothan. Both May and Bates, in the course of the hearing yesterday, denied killing Mr. McKinstry, each blaming the killing on the other.

May said he had nothing to do with it, but alleged that Bates, while in jail, told other inmates there that Mr. McKinstry had told him what he would do to him "if he didn't pay him money owed, and that he, Bates "beat him to it," taking a gun and hiding it out several days before the killing took place.

Bates claimed May fired the fatal shots, coming to his house to get the gun with which the murder was later committed; also that May took him along and gave him the money taken from Mr. McKinstry's pockets, some $11, to keep until the following morning, after he had helped May move the body.

Bates first made a confession stating May killed Mr. McKinstry, it was brought out at the hearing, but at the trial of May, changed his story, taking all the blame on himself for the murder. Later the same day, changing his first story, Bates testified that May fired the fatal shots, explaining the changing of his testimony by stating May had told him if he would take the blame, that would clear him, May, and when he got clear he would help get Bates out of his trouble. It was testified at the hearing, however, that since the conviction of May, a confession has been made by Bates, at Kilby Prison admitting the murder.

Except for the confession by Bates, the evidence submitted by the State at the trials of the negroes was largely circumstantial, it is understood. Bates and May are brothers-in-law. Testimony was offered by several members of the families of the two men, some of it tending to show that Bates is not mentally well balanced. Both condemned negroes stoutly denied their guilt of the murder throughout the proceedings yesterday afternoon, each charging the other with being the perpetrator of the crime. Before starting with their mother, back home, Bates's small children kissed him goodbye.

One of the members of the families of the condemned, a negro man from Bessemer whose name was not learned, but who said he was a brother-in-law of both May and Bates made an especially vigorous verbal attack upon May, declaring other members of May's family had been in trouble with white people, and that May himself had gotten two negroes not related to him into trouble of that kind. "I'm not here to put myself up as a lawyer," he said in conclusion "but I do know the 'tictacs' of a lawyer." May emphatically denied the charges made by his kinsman, who admitted voluntarily having received instruction in public speaking.

George Miller, county solicitor of Sumter, represented the State in each case. Brief statements were made by counsel for both of the condemned. John Altman, who represented May by appointment of the court, declared that in his opinion Bates is mentally deficient, and that he believes there is a sufficiently reasonable doubt of the guilt of May to justify commutation of his sentence to life imprisonment. O. P. Cornelius, attorney, who submitted Bates's appeal to the Supreme Court expressed the same view as to Bates's mentality, at the same time stating he did not wish to see an innocent man go to the chair.

Willie Brown, the Houston County negro, said he attacked the Jackson woman with a knife because she was going with another man, but that he did not intend to kill her.

Negro Gets Death For Killing Farmer

EVERGREEN, ALA., May 29.—Attorneys for Clarence Crenshaw, negro youth, prepared today to appeal to the State Supreme Court from the conviction last night for the murder of John D. Barnes, white Castleberry farmer.

Crenshaw was convicted late last night, the jury returning the verdict of guilty after deliberating for two hours. The jury received the case at 9:30 p.m., and returned the verdict at 11:30 p.m. Circuit Judge Francis W. Hare sentenced Crenshaw to be electrocuted on July 10 but the sentence was suspended pending the appeal.

In the trial of the case, which lasted throughout the day, Crenshaw claimed that he killed Barnes in self-defense. He said that Barnes had him down, beating him, when he pulled his pocket knife and stabbed Barnes in the back. The State produced witnesses who testified that tracks of both men in the vicinity of the killing proved that Barnes ran from the negro in an effort to escape the knife but that the latter apparently got near enough to Barnes to stab him in the back.

The negro was defended by B. E. Jones and E. C. Page, Jr., Evergreen attorneys appointed by the court for the task. Leonard S. Biggs, circuit solicitor had charge of the prosecution.

The negro wept upon hearing the verdict of the jury, as he did frequently during his own testimony.

Conecuh Negro Faces Murder Charge Today

EVERGREEN, ALA., May 27.—(Special).—Trial of Clarence Crenshaw, negro youth, charged with the fatal stabbing of John D. Barnes, Castleberry farmer, is scheduled to get under way here tomorrow.

Crenshaw was indicted on a first degree murder charge at a special session of the Grand Jury here Monday, called by Circuit Judge Francis W. Hare to probe the killing. Judge Hare appointed B. E. Jones and E. C. Page, Jr., local attorneys, to defend the negro. He entered a plea of not guilty.

The negro was captured late Thursday night by a posse which had sought him since the slaying shortly after noon on that day. He was trailed with the aid of two bloodhounds from the Atmore State Prison Farm.

Convict Labor Proves Saving On State Roads

Contrasting Figures Show Highway Building Costs Slashed Since February

Director's Report

Elmore And Lee Counties' Projects Paralleled In Report Of L. G. Smith

By ATTICUS MULLIN

The cost of road construction by convicts in Alabama is slightly lower than the cost of such construction by free labor, according to figures submitted to the Senate bloc by L. G. Smith, director of the State Highway Department.

The figures submitted by Director Smith deal with convict road construction since convicts were taken over by the Highway Department in February of the present year. A number of convict projects are analyzed in the figures submitted to the Senate bloc and incorporated in the message of Gov. Miller to the Legislature last week. Discussing the cost of working convicts on the roads under the new arrangement, Director Smith says:

"Taking the aggregate of the expenditures on these projects, as shown on the attached exhibits, the total estimated cost based on the low bid would amount to $289,776.46. The actual cost by using convict construction on these projects amounted to $280,234.87. The difference, which represents a net saving by reason by using convicts, amounts to $9,541.59.

Director Smith points out that the convict projects on which the figures are based are in both North and South Alabama and are "fairly representative."

The first convict project for which figures are given in the Smith report is in Elmore County, from Wetumpka north to the Coosa County line, a distance of 15.07 miles. The figures show that on this contract the low free labor bidder's cost for work already done was $15,886.38 as against $13,757.23 for convicts. It is explained that the unit prices in grading contract on federal aid project 228 in Lee County are used for comparison with actual cost. The Lee County costs were taken as a comparison because the working conditions and soil conditions are similar.

Convict labor is doing the work on 14.20 miles of road in Jefferson County from Adamsville to the Walker County line and the work so far done on this project is lower by $1,541.79 than the same work would have been done with free labor under a bid of H. N. Donahoo, who was second low bidder on the project.

A saving is being effected by the use of convict labor as against the low bid of a free labor contractor on 26.45 miles of road in Jefferson-Shelby Counties from Birmingham to Harpersville. A cost sheet is given showing that for the work so far done, convicts have saved the State $4,729.30 on this job as against the lowest bid of A. H. Singer, who was second low bidder to the Convict Department on this job.

A 15 per cent saving in cost is being shown in the construction by convicts of 23.58 miles of road in Mobile County from Mobile to the Mississippi State line near Wilmer. A comparison is made in the cost of work already done by convicts on this project and what it would have cost if done by free labor by the lowest free labor bidder. The saving so far has amounted to $6,145.46 which saving is expected to be increased as the work is completed.

The figures submitted by Director Smith relate to several additional road projects which are being done by the use of convicts. In every case a comparison with free labor costs as submitted by the next lowest bidder to the Convict Department shows a saving by the use of convicts.

390, Under 21, In State Prisons

Separate Institution Being Planned By Board For All Youthful Convicts

Of the approximately 5,900 convicts now confined in State prisons and prison camps, 390 are youths 20 years old or under, it is shown by records in the office of the prison affairs division of the State Board of Administration.

Two hundred and twenty of these youths are white, and 170 are negroes. The total does not include county hard labor prisoners working out sentences under the supervision of the Board of Administration, as papers filed by counties transferring such county prisoners to the Board's jurisdiction do not show the age of the prisoner.

The Board of Administration has in operation already, a system for the segregation of these youthful offenders from the older convicts, but intends to go still further, it is understood.

It was learned yesterday that a plan is underway, the details of which have not yet been worked out, for the designation and setting aside of one of the State's penal institutions, for the confinement exclusively, of prisoners under 21 years of age.

DEATH CHAIR ASKED ON ROBBERY CHARGE

White Man Is Also Accused Of Assault; Jury Put To Bed After Six Hours

Bob Hughes chatted coolly with his wife yesterday, while a bevy of stepchildren by two former husbands, scampered about and Solicitor Tempie Seibels asked a Circuit Court jury to condemn him to the electric chair for highway robbery which, it was alleged, he followed with a criminal assault upon a negro woman, wife of the man robbed.

The jury received the case at 4:30 p.m., and when it had failed to reach a verdict six hours later, it was put to bed.

Neither Hughes nor his wife, whose three essays at marital happiness had furnished her with a house full of experience, seemed perturbed over the nature of the charges brought by witnesses of an escapade of robbery and assault, in which Hughes was alleged to have entered with a negro companion the night of May 23.

Hughes said he was too drunk to know what was happening.

Johnnie Harris, the alleged negro companion of Hughes, was slain by officers when he resisted arrest. An examination of his body revealed 11 bullet wounds. In his speech to the jury, Solicitor Seibels voiced regret that Hughes did not meet a similar fate. This was in reference to the alleged crime with which he set a climax to four robberies in the same night.

Five negroes, three men and two women, identified Hughes as one of the black and white pair who maurauded in the vicinity of Camp Sheridan that night in May. The outraged woman, whose husband was robbed, was positive in her idenification.

Hughes was an indifferent witness in his own behalf. He said he had been drinking and had gone to sleep. When he awoke, he said, the police officers were shaking him. The officers, Motorscouts Lacy and Watson, gave testimony that varied with his in several vital particulars.

There were other clashes in testimony during the day. When Sullivan Vandiver, a negro, came to trial for murder in connection with the slaying with a baseball bat of Charlie Fuller in New Town last month. Members of one of the opposing nines in the game during which the murder occurred, testified that Vandriver crept up behind Fuller and bashed his head in. Members of the other nine testified that Fuller chased Vandiver about with an open knife and that Vandiver picked up the bat in desperation and, turning, only saved his own life by doing for his assailant. The jury returned a verdict of first degree manslaughter.

Two other criminal assault cases were disposed of without jury trials. All defendants tried this week in Circuit Court will be brought before Judge Walter B. Jones for sentencing Monday at 10 a.m.

Negro Under Death Sentence Will Live

Andrew Sanders, 27-year-old Bibb County negro, was told yesterday by Warden George Walls of Kilby Prison that the State of Alabama would not require him to die on Aug. 21, to settle a debt he owed society for an alleged assault on a 12-year-old white girl.

Sanders had already "made peace with his God" while proclaiming his innocence. He received the news with dumb amazement and his only reply was "thank you boss—thank you suh."

The negro's sentence was commuted to life imprisonment by Gov. Miller yesterday following recommendation by all members of the pardon board. The board was petitioned to commute the sentence by Judge Thomas E. Knight, trial judge, the Solicitor, the sheriff, all county officials, the postmaster at Centerville and about 200 citizens.

The tenor of the petitions to the pardon board was to the effect that developments which followed the trial of the negro convinced them that there was a probability that there had been a miscarriage of justice and that the negro had been the victim of a conspiracy.

Clerk Who Became Senator Has Innocent Negro Repaid

MONTGOMERY, Ala., July 28—(AP)—More than 11 years ago Claud Scruggs, deputy clerk of the Marshall County Circuit Court, read the jury verdict of "guilty of murder in the first degree" that sent John Murchison, negro, to Kilby Prison to serve a life sentence.

Deputy Sheriffs and armed citizens protected the negro as he left the courtroom, threats from an angry crowd buzzing in his ears over the slaying of John McClendon, Marshall County farmer.

Saturday night, far past the hour of midnight, as Alabama's sixty-seventh Legislature passed into history, Senator Claud Scruggs took the floor and pleaded with the Senate to override the governor's veto on a relief bill appropriating $750 for John Murchison to repay him for six years spent in prison for a crime in which he had no part.

For in 1926, six years after the slaying, Otis McClendon, a relative of the slain farmer, made a deathbed statement and confessed to the slaying, telling the group around his bed that McClendon was killed by his own wife and himself in a plot to "get him out of the way."

Today the state owes John Murchison $750 for the Senate and the House overrode the veto by wide margins.

500 Alabama Convicts Moved Back To Prison

Immediate Retrenchment Of Highway Activities Ordered By Governor

Six Camps Closed

Failure Of Legislature To Appropriate Funds For Roads Held Responsible

Immediate retrenchment in highway activities was ordered by Gov. Miller Thursday following a conference with the heads of the State Board of Administration and the Highway Department six convict road construction camps being closed and throwing 500 convicts, formerly working in these camps, back into the various State prisons. The order was the result of failure of the Legislature to provide funds for a continuation of highway work.

Ten highway convict camps will be left intact for the present, working in the main on Federal aid projects. These camps will be reinforced with labor from other camps to avoid as much Federal penalty as possible.

Under the Governor's order, 1,000 convicts will be left on highway projects in the 10 remaining camps until projects are completed. The 500 convicts who will be taken from road work will be divided among the already over-crowded State prisons including Kilby, Atmore, Speigner, Wetumpka and No. 4 Farm.

Bills Outstanding

Bills outstanding against the Highway Department for material and supplies, some of them running for more than a year, amount to approximately $2,000,000. The Legislature which adjourned recently made no provision for funds to retire these bills nor for funds adequate to continue highway construction by convicts.

Gov. Miller said he regarded the proper maintenance of roads already built of paramount importance in order to preserve the investment the people had already put into road building and that he had directed the Highway director to maintain the roads to the best advantage limited funds would justify. Alabama has an investment in highways of over $70,000,000, embracing 5,000 miles completed and 300 more miles under construction of which approximately 1,100 miles are paved.

The Governor also said he had directed the highway officials to place in line for payment all past due claims in order that the creditors of the Highway Department might be relieved at the earliest possible time that funds would permit.

Limitation On Expense

The State Board of Administration was directed to permit no charge for convict labor on road projects to exceed the actual cost of maintaining the prisoners, meaning the actual cost of food, clothing, and medical attention only.

The Governor did not say how the State Board of Administration would solve the burden of the cost of maintaining the 500 prisoners taken from road work, nor did he say how employment of them would be provided. This was left for him and the president of the State Board of Administration to determine later.

There was no intimation from Gov. Miller when other convict road camps would be discontinued. Whether they will be discontinued as soon as the present Federal aid projects are completed or not, he did not say. However, in view of the failure of the Legislature to provide money to pay the accumulated debts of the Highway Department, the retrenchment in highway matters announced Thursday may not be the last, but may be only the beginning.

The discontinuance of the six road camps will be effective at once and the prisoners, supplies and materials will be brought to Montgomery as soon as possible.

Negro Bandits Sought In Dale

Local Doctor Sends Car Speeding Through Hail Of Bullets On Highway

OZARK, ALA., Aug. 3.—(Special)—Dale County deputies and an armed posse searched the county tonight in an effort to locate the two negroes who fired into the automobile of Dr. H. W. Caldwell, of Montgomery, on the highway near here this afternoon in an attempted robbery.

Dr. Caldwell had left Montgomery this morning and was about three miles north of Ozark when the shooting occurred. He was driving along at a moderate rate of speed, Dr. Caldwell said, when he saw two armed negroes suddenly leap into the road about 50 yards in front of him. One of the negroes was carrying a shotgun and the other a pistol, the Doctor said.

The negroes flourished the guns, crying at him to halt, Dr. Caldwell told officers. The Doctor, instead of stopping ducked low inside his machine and speed forward.

As the negroes leaped aside to avoid being run over, they opened fire on his machine. The bullets struck the car, but did not injure him.

Dr. Caldwell drove on into Ozark where he reported the affair. Deputies went in search of the negroes. A posse was formed and also took up the search. At midnight the negroes had not been located.

Alabama

Crime - 1931

AMERICAN
AUSTIN, TEX.

JAN 8 1931

Flowers for Bibb Graves of Alabama

GOV. BIBB GRAVES of Alabama will retire to private life in the near future. Gov. Bibb has a heart. He paroled 500 convicts for the holiday season told them to go to their families and enjoy the season but to be sure to return to their jobs "after the season was over." Almost to a man they kept the pledge. They did not violate the confidence reposed in them by their governor.

Why not flowers for Bibb Graves? Many of the paroled were negroes. He did not draw the color line.

It is said that more than a thousand white convicts at the Texas prison camps or penitentiaries, on merit alone or rather good behavior, are entitled to liberty under the provision of the parole act and the indeterminate sentence act. Why feed them? Why not permit them to return to their families or dependents and become wealth-makers and providers of the necessities and necessaries of life for those who are not convicts but who are the greatest sufferers on account of the wrong doing of these prison wards of Texas?

Governor Refuses To Save Daniels

3-24-31

Shortly after midnight tonight, Mose Daniels, Montgomery County negro, will go to his death in the electric chair at Kilby Prison, for criminally assaulting a white woman.

Gov. Miller yesterday, rendered his decision in the case, when he announced he would not interfere with the execution of the sentence imposed by the trial court, and that the law must take its course.

The Governor's action was taken following reports made to him by members of the State Board of Pardons, each of whom declined to recommend executive clemency.

High Court Seals 3 Negroes' Doom

The Alabama Supreme Court yesterday confirmed the death sentences of three negroes, among them the case of Tom Robinson convicted of the slaying of Grover Boyd during a riot at Emelle last July 4-5.

4-3-31

Execution date for all three negroes was set by the court for May 15.

The other negroes, Spencer Bates, convicted of killing Thomas H. McKinstry, near his home near Livingston, and robbing him of $11 and Willie Brown, who was convicted in Houston County of beating and cutting to death Gussie Mae Jackson.

Livingston Negro Sentenced To Die

4-8-31

Tom May, negro, charged jointly with Spencer Bates with the murder of Tom McKinstry, a saw-mill man near Livingston last year, was convicted of first degree murder at Livingston yesterday and sentenced to die in the electric chair on May 15.

Spencer was convicted last Fall and the Supreme Court has just recently affirmed his sentence and he is to pay the same penalty on the same date fixed for his partner.

Tom McKinstry, a saw-mill man, was murdered within a short distance of his home late in afternoon as he was on his way to his little family with a watermelon on his shoulder.

His waiting wife heard his cries and instituted a search which revealed his body in a hiding place not far from the scene of the crime. Robbery is thought to have been the motive.

Solicitor W. R. Kimbrough was assisted in the prosecution by Representative George Miller. The verdict was reached about 3 p.m., yesterday. On the previous trial the jury stood 11 to one and a mistrial was entered.

Majority Of Board For Commutation

5-7-31

A majority of the State Board of Pardons was on record yesterday afternoon as favoring executive clemency for Tom Robinson, Sumter County negro under sentence of execution Friday, May 15, when State Auditor Brandon forwarded to Gov. Miller his recommendation that Robinson's sentence be commuted to life imprisonment.

Tuesday afternoon, following hearing of petition for clemency in the case before the Governor and members of the Board of Pardons, Atty. Gen. Knight, the Board's chairman, recommended commutation. The third member of the Pardon body, Secretary of State Jarman, has not yet rendered a decision.

Robinson was found guilty of first degree murder, and sentenced to death, in connection with the killing at Emelle, Ala., on July 4, last year, of Grover Boyd, a white man.

Birmingham Police Shoot Down Negro Workers in Cold Blood

4-4-31

BIRMINGHAM, April 5.—Because his hands were loaded with packages and he could not get them in the air quick enough when police ordered him to, Babe Dawes, Negro worker was filled with a load of buck-shot which ripped his arm and side to hell. A piece of his coat was shot two inches deep into a telephone post. The worker lost over a gallon of blood.

Then the police found out that they had shot the wrong man. This is a regular practice of the bosses' police down here in Alabama when dealing with Negro workers. If they get the wrong man, they say that it was a good lesson anyway for the "niggers."

The police were looking for another Negro who lived in the same house as Dawes. Last week a Hill Grocery Store was robbed and a cop shot. These robberies take place every day naw as starving workers get desperate and do not realize that they must organize and fight in a mass movement against starvation, instead of merely robbing stores. The police had set out to grab and beat up unemployed Negro workers in order to show they were doing something to stop the robbery.

Picking up two Negro workers in Greenwood, which is a part of East Birmingham, two carloads of dicks brought them to Daws' house, looking for another Negro worker whom the two had seized said lived there. Seeing Dawes approaching the house with his hands full of packages, the cops hopped out with a double barrelled shot gun and called to him to put up his hands. Dawes immediately complied, but because he had meal in his right hand it took a little longer for him to get the hand in the air. The cops immediately opened fire on him.

After they shot him they asked his name and found he wasn't the one they were looking for. The bosses' papers omitted any report of the shooting. The workers in the section are all aroused over this murderous attack upon a defenseless Negro worker, who is now crippled for life.

The Communist Party and the League of Struggle for Negro Rights are issuing leaflets and rallying the workers—Negro and white—to protest against these bloody attacks and to organize together to prevent them in the future.

The two orgganizations are calling upon the workers to demonstrate on May Day against persecutions of the Negroes, against starvation, wage cuts and imperialist preparation for war, and for the right of self-determination for the Negro majorities in the South, for immediate relief and unemployment insurance.

Emelle Negro Is Granted His Life

5-9-31

Acting upon the unanimous recommendation in the case of members of the State Board of Pardons, Gov. Miller late yesterday commuted to life imprisonment the death sentence imposed on Tom Robertson, Sumter County negro following his conviction of first degree murder in connection with the killing of Grover Boyd, a white man, at Emelle, Ala., last July.

Two of Robertson's sons were involved in the slaying. One of them was himself slain in the disorders, lasting several days, that followed. The other, John Robertson, who is alleged to have fired the fatal shots, is still at large.

In his order commuting the sentence of Tom Robertson, who was to have been executed at Kilby Prison, Friday May 15, Gov. Miller said: "Tom Robertson did not take an active part in the homicide. There was some testimony weak in circumstances, indicating that he might have been an accomplice There is much evidence to the contrary Under the evidence the death penalty should be substituted by life imprisonment in the penitentiary. The Board of Pardons unanimously recommend commutation of the sentence to life imprisonment. So let order to that end issue."

Atty. Gen. Knight and State Auditor Brandon had already recommended clemency up to yesterday afternoon when Secretary of State Jarman forwarded to the Governor a like recommendation, as follows: "The members of the jury who tried this case, as well as those signing petitions against commutation are among the very best citizens of my home County of Sumter than which there is no better citizenry in the world. I am sure that they are thoroughly honest and conscientious in their belief that this defendant should suffer the supreme penalty of the law. Because of my knowledge of them and their sincerity of purpose I greatly dislike the necessity of disagreeing with my own people, but when confronted with the performance of a duty a conscientious public official must not be swayed from the dictates of his conscience by friend or foe.

"Since the evidence in the case does not prove to my mind the guilt of this defendant beyond a question of a doubt, and since he is entitled to the benefit of this doubt, I recommend commutation of his death penalty."

Pardon Board To Hear Condemned Negro's Plea

5-5-31

At a hearing to be held in the offices of the executive department at the Capitol today, beginning at 2:30 p.m., Gov. Miller and members of the State Pardon Board will hear and take under consideration the petition for commutation of sentence to life imprisonment of Tom Robinson, Sumter County negro, under sentence to be electrocuted at Kilby Prison Friday, May 15, for the murder of Grover Boyd, a white man.

The slaying of Boyd, at Emelle, Ala., last Summer precipitated a series of disorders which, continuing for days, resulted in the death of a total of eight persons before peace was restored by county officers assisted by a squad of deputies from the State Law Enforcement Department. Three other condemned men are scheduled to go to the chair at Kilby on the same date set for Robinson's execution.

Knight Votes To Give Negro Life

5-6-31

Pardon Board Member In Favor Of Commutation In Emelle Murder Case

Commutation of the death sentence imposed by the Sumter Circuit Court on Tom Robinson, negro, convicted of first degree murder in connection with the slaying of Grover Boyd, a white man was recommended yesterday afternoon by Atty. Gen. Knight following hearing at the capitol of application for clemency in the case, before Gov. Miller and members of the State Board of Pardons.

Atty. Gen. Knight, who is chairman of the Pardon Board, said in his recommendation to Gov. Miller: "While the record in this case discloses that the trial judge was not justified in taking the question of the guilt of the condemned from the jury, and notwithstanding the fact that the Supreme Court has held that the verdict of the jury was not contrary to the great weight of the evidence, in light of previous decisions of the high courts of this country, as a member of the Board of Pardons, I am unwilling to say that the evidence of the condemned's complicity in the killing is supported by facts and circumstances showing preconcert, to satisfy me in recommending that the extreme penalty of the law be inflicted upon Tom Robinson. I recommend that the death sentence be commuted to life imprisonment."

Killing Reviewed

Hearing of the petition of the condemned man, which took place in Gov. Miller's private office, began at about 2:45 p.m., with reading, at the Governor's request, by Wayne Patton, counsel for the petitioner, of the record of testimony taken at Robinson's trial. According to this testimony, Tom Robinson, his three sons, Esau, John and Ollis, drove into Emelle, Ala., on the day of the tragedy, and that J. W. Robinson, a nephew, also was there, having come to town in another car. This was on July 4, 1930.

Clarence Boyd, nephew of the deceased Grover Boyd, had, it appears, demanded payment for a battery he had sold one of Tom Robinson's sons, and when it was not forthcoming, removed the battery from the car where it had been placed. Robinson's sons then stated they would see their father about payment for it, and went away, later returning with him. The sons called Clarence Boyd out of a store at Emelle and a scuffle ensued. Tom Robinson, however, had no part in this difficulty between his sons and Mr. Boyd, according to the evidence.

Testimony was to the effect that Clarence Boyd cried out for assistance just before he was struck in the head with a hurled bottle, and rendered unconscious. His uncle, Grover Boyd, promptly responded to the call for aid. Evidence of various witnesses tended to show that Tom Robinson appeared, picked up a stick and started in the direction of the melee, but that when Grover Boyd came on the scene, Tom Robinson turned and ran and Boyd ran after him, firing a pistol at the fleeing man. Tom Robinson, it was conceded, was unarmed at the time.

Negroes Kill Boyd

According to the testimony, Ollis and John Robinson then came up in the rear of Mr. Boyd and John opened fire at Mr. Boyd who was firing at John's father, and Mr. Boyd fell mortally wounded. Esau Robinson was killed that night elsewhere in the county. The other Robinsons disappeared and are still at large with the exception of Tom, who was arrested, tried, convicted and sentenced to be electrocuted. His execution is set for Friday, May 15.

The murder of Mr. Boyd was the starting point of a series of disorders in the vicinity of Emelle, which, continuing for several days, took a toll of eight lives.

Tom Robinson who was present throughout the hearing yesterday, made no statement, and added nothing to the testimony he gave during his trial, in which he stated that he never shot or hit anybody. After reading the testimony, Mr. Patton stated the only evidence against the petitioner was the inference that might be drawn from the evidence that the Robinson negroes entered into a conspiracy. He said it was John Robinson who shot and killed Mr. Boyd, and declared the negroes had no time to perfect a conspiracy between the removal of the battery from the car and the occurrence of the fatal difficulty. James A. Mitchell, another lawyer, spoke along the same lines.

Prosecution Speakers

F. L. Alldredge, of Eutaw, prosecuting counsel in the case, reviewed the incident of the battery removal, of the return of Tom Robinson's sons to their home, and of his journey with them back to Emelle, during which they picked up John Robinson along the road. He pointed out that some of the negroes went to Emelle armed, and presented an argument in support of the insistence that there was a conspiracy between the negroes.

Representative George Miller of Sumter argued along the same lines, as did County Solicitor J. R. McDaniel, who brought with him from Livingston a number of petitions requesting that Robinson's sentence not be commuted. It was estimated that some 800 names were signed to these petitions.

Atty. Gen. Knight is the only member of the Pardon Board to make a recommendation in the case thus far. Secretary of State Jarman and Auditor Brandon are expected to do so within the next few days.

Arkansas.

Crime - 1931

CONSUL TO ATTEND TRIAL

Commenced
and Ended
5-5-31

Negroes to Trial at Helena Today for Attack on Chinese.

HELENA, Ark., May 4.—J. T. Lee, Chinese consul at New Orleans made the trip here late yesterday to be present tomorrow for the trial of Ashley Davis and Levan Rice, negroes charged with the attempted murder of several members of a Chinese family at Helena Crossing last winter.

The negroes are said to have attacked the Chinese merchant and his wife who was in bed with the butt of a rifle. A child was also injured in the melee.

Circuit court got under here this morning with the reconvening of court by Judge W. D. Davenport.

Most of the day was taken up with hearing pleas of guilty and up to 3 o'clock this afternoon four negroes had been sentenced to the state penitentiary. Three of them Parrish McCray, Arthur Dismuth, and George Dennis received three-year terms while the fourth, Willie Mathews, received one year of a guilty plea to a murder charge.

Arthur Miller was given a suspended sentence of one year for selling liquor and $50 fines in two cases of possessing and possessing for sale. S. H. Rusell, white was also fined $50 for possessing for sale.

A jury this afternoon found a not guilty verdict in the first trial to come up on the criminal docket, that of A. B. Hunter, negro charged with making mash

Crime-1931

NEGRO'S LIFE TERM UPHELD BY TRIBUNAL

Criminal appeal

Absence of Negroes on Jury Of No Consequence.

5-26-31

LITTLE ROCK, Ark., May 25.—(AP)—The mere absence of negroes from a grand jury was held by the supreme court today to be insufficient in itself to prove prejudice against a negro defendant.

Memphis Press

The court thus upheld the conviction of Cassell Hannah, a negro who was sentenced to life imprisonment in Hot Spring County for the murder last January of H. C. Van Dyke, 63, a barber of Kosciusko, Miss.

Hannah's lawyers contended in the appeal the indictment against him should have been quahsed on the ground negroes were barred from service on the grand jury, which was prejudicial to his rights.

The court held no effort was made to prove negroes were barred from the grand jury and the mere absence of negroes did not constitute sufficient proof of prejudice.

Van Dyke's body, with the throat slashed, was found beside a highway near Malvern last Jan. 3. Hannah, who was acting as chauffeur for Van Dyke at the time, was arrested later. In a purported confession introduced at the trial, the negro was quoted as saying he killed Van Dyke after the latter had threatened his life.

The supreme court took under advisement a motion to advance the Little Rock mayoralty contest case for submission June 15. It was announced the court will reach a decision tomorrow or Wednesday on a petition of counsel for former Mayor Pat L. Robinson to advance the case as a matter of public interest to insure a final decision before the court's summer recess July 13.

Crime - 1931

COPS' BRUTALITY STIRS CIVIC ORGANIZATIONS

N. A. A. C. P. Will Cooperate In Prosecution Of Patrolman

The brutal attack on Frederick Smith, Community Center athletic director, by police last Wednesday has stirred all community officials and civic organizations and efforts are on foot to have the offending patrolman, Eugene D. Lambert, prosecuted and brought before the Police Trial Board. John Pinkett, secretary of the N. A. A. C. P., told The World Wednesday that his organization was going to cooperate with Augustus Gray, Smith's attorney, to the fullest extent.

Mr. Smith, director at Lovejoy Community Center and Government mailcarrier, of 510 Rhode Island Avenue, charges that Officer Lambert and another policeman, both of the Ninth Precinct, severely beat him for apparently no reason.

The case against Mr. Smith has been postponed twice and will be tried in the United States Branch of the United States Court tomorrow.

According to Mr. Smith, he and B. E. Whitaker, of 1230 Wylie Street N. W., assistant at the center, were in charge of a group of boys and Boy Scouts. After the youths were released from the Center classes, it was found that another group of boys and several white boys were fighting in the street nearby. Two boys connected with Lovejoy returned and reported the incident to Mr. Smith. Meanwhile someone had summoned the police.

Accused As Fighter

In an effort to halt the disturbance, Mr. Smith went into the street and upon the arrival of Officer Lambert and another policeman of the same precinct, Mr. Smith was accused as being one of the fighters. When Mr. Smith protested to the officers, he was attacked by the cops and forced into a police automobile and taken to the precinct. A charge of assault and disorderly conduct was placed against him.

Taken Into Room

At the precinct Mr. Smith in an attempt to secure the name of the arresting officer took out a piece of paper and pencil. This he said was knocked out of his hands, and a basketball which he had at the time of his arrest taken from him. After this treatment, one of the officers is alleged to have stated that "people could see them from the street" and Mr. Smith was taken into a rear room where he claims to have been unmercifully beaten with night-sticks and blackjacks. Officer Lambert is alleged to have also struck Mr. Smith with his fists.

When Mr. Smith was released on collateral he was commanded to wash the blood from his face and hands before going into the street. When Mr. Smith refused to wash, he was forced over a wash bowl and the policemen washed the blood from his face and head. One of the cops stated that they didn't want people to see blood on him.

Following his release Mr. Smith went to Casualty Hospital, where he was refused treatment. He was later given medical attention by his family physician.

In Police Court last week, one of the cops stated that he found Smith fighting and that he was bloody at the time of his arrest.

Mr. Smith is a graduate of Armstrong High School and a former student at Howard. He has been connected with the Community Center for the past five years. Last winter, he worked at the Garnet-Patterson Community Center.

VICIOUS POLICE USE BLACKJACK ON ILL MINISTER

6-3-31

Rev. Simon P. Jamison Says Officer Lambert Beat Him With Club

As a result of a severe beating at the hands of police officers on May 27, Rev. Simon Peterson Jamison is in a serious condition at his home, 1214 Duncan street, northeast.

Rev. Jamison told a Tribune reporter this week that he was a spectator at the corner of Twelfth and Duncan streets Wednesday night of last week when a disturbance occured between colored and white boys. Rev. Jamison said he reached the scene just before several police reserves arrived.

He said Officer Lambert of the Ninth Precinct approached him and told him to get off the corner. The minister said he reached for the arm of his 6-year old son when Lambert kicked him and called him a vile name. Not satisfied with this the policeman caught Rev. Jamison in the collar and tore his shirt from him.

Beaten With Blackjack

The minister said the policeman then shoved him towards a police car and on pushing him in he was struck on the head and face with a blackjack. All the way to No. 9 Precinct the officers beat him with black jacks and their fists.

Rev. Jamison has been in ill health for the past five years and was forced to spend the night on the stone floor of a police cell. He said he was refused medical attention and food until he appeared in court next day. He was dismissed in Police Court, he said.

During the same fight near Lovejoy School that night, Frederick Smith, a Community Center worker, and his assistant, B. E. Whitaker, were beaten with blackjacks and sticks by Lambert and other officers. These men had nothing to do with the fight and were merely lookers-on. Mr. Smith has engaged Attorney Augustus Gray to represent him and the case is scheduled to come up in the United States branch of the Police Court Saturday morning.

BRUTALITY PLUS

While the city and nation is being aroused over the alleged brutality of Washington police, an instance of brutality far more heinous comes to light to overshadow even the worst instances of official beatings. A man, a colored man, with a fractured skull, is refused treatment at the Casualty Hospital. The interne, incompetent, to say the least, diagnoses the case as one of "drunkenness" and sends the dying man on his way. The man is now lying at the point of death at the Gallinger Hospital. 9-4-31

It is bad enough to beat well men into unconsciousness at police stations, it is bad enough to use the brutal third degree on defenseless men, but we submit that it is far worse for an institution, organized to care for the sick, to turn away from its doors a human being, whatever his color, in a dying condition.

What makes the matter worse is that apparently the Casualty Hospital considers the incident all in the day's work. On being asked if the interne who diagnosed the case had been dismissed, Dr. Joseph Rogers, the hospital superintendent, and incidently deputy coroner for the District of Columbia, could merely state that "suitable action" had been taken against the interne. We imagine this "suitable action" was a severe rap on the wrists or a reprimand, not that the colored man had been sent away, but that the interne had been caught doing it.

We demand that some more suitable action be taken against this interne. His dismissal from the institution is the only suitable action that can clear the skirts of this public institution for the treatment of sick people. And if the man dies from the injuries, we shall demand that some official cognizance be taken of the fact that there was definitely criminal negligence in the treatment of the case.

POLICE BRUTALITY

In connection with Wickersham report, the infamous third degree is bringing results in Washington. Four officers connected with the 1st precinct were discharged this week for having administered the third degree in trying to get a confession from a man arrested for house breaking. There are others on the force who should also be dismissed The two policemen of precinct No. 2 who beat up Mr. Smith at Lovejoy Community Center should have also been dismissed. The policemen from No. 2 who beat up a defenseless pregnant woman on Seventh street, forcing her into the hospital and thereby causing a premature birth should receive the same fate. 8-28-31

This brutality in Washington must stop. Criminals on the police force are no better than civilian criminals, and before this investigation shall have finished it ought to ferret out every bully who delights in beating up his man when arrested.

The responsibility should begin with the superintendent of police who permit these outrages to continue. He can not say that he is ignorant of these facts, for they have been presented to him from time to time and each case has been white washed in a would-be trial board of fellow officers posing as a police trial board. This method of trying a man on the force is archaic and should be abolished in civilized communities. How can a man, guilty of the same offense, judge another man? Of course the other members of the force are going to

try to protect the fellow officer. It is almost impossible to convict any member of the police force in Washington regardless of what he does in the way of beating up folks.

The Washington Tribune has carried on a strenuous campaign against this brutality and shall continue to do so until every man on the force who demonstrates such brutality is kicked off.

The Tribune is cognizant of the fact that that there are some good, fair policemen on the force—with them we have no brief.

Crime-1931

POLICE BRUTALITY CONTINUES

Tribune 10-2-31

Notwithstanding the special investigation going on here into the brutal acts of our police force, Washington police defy law and order and the investigators, by shooting a defenseless Negro on Georgia avenue, Sunday. This melee was participated in by Detective Sergeant Mansfield, who brutally beat up a colored driver of a truck here last year.

Washington Tribune

The facts as related by the man the officer shot and an eye witness certainly are contrary to the report as made at number 2 precinct. The victim of this unjustifiable shooting states that he did not reach to his hip pocket. He says he was shot while jumping over the front fence of his home.

An eyewitness writes that it was the most brutal attack upon a defenseless man that he ever witnessed. He states that one officer held the man's arm while another shot him.

The man had a record of running away from Lorton reformatory in Virginia. That did not warrant his being shot like a mad dog or a rabbit.

Brutality of the Washington police has continued here for a long time. Their utter disregard for human life has been rather prominent and their success in covering up their brutal acts is outstanding.

Just as Detective Mansfield was whitewashed in the beating of the colored driver last year, because of his trial before an archaic police trial Board, so have the other brutal attacks by police officers been given the Board's O.K.

The police give as their excuse for shooting this man Sunday, that "he reached to his hip pocket." The victim says his hands were on the fence when he was first shot, and an eye witness writes that the man did not reach for his hip pocket. Who would you believe?

With more than seventy-five cases of police to be presented to the grand jury investigating police brutality here, it is evident that it has reached the breaking point, and a man should head Washington's police force who could and would stop it.

POLICE FIRED FOR BEATING NEGROES

Crisis 10-23-31

Drastic Action Is Taken To Stamp Out Third Degree Evils Victimizing Citizens

COMPLAINT WAS VOICED

Indictments Are Returned Against Eighteen Capital Officers For Brutal Tactics

WASHINGTON, Oct. 22.—The indictment of eighteen Washington policemen Friday on charges of criminal assault marked the latest development in the Federal government's investigation into the use of third-degree methods by capital police especially on Negroes.

The Federal grand jury brought in fourteen seperate indictments naming fiifteen police privates and three detective sergeants, and also indicted a civilian accused of obstructing justice by tampering with a government witness in the brutality hearings.

Superintendent of Police Pratt suspended thirteen of the accused men as soon as the grand jury's action was made known to him. The other five are under suspension as the result of their previous indictment by the disqualified July grand jury.

Beat Three Negroes.

In a previous hearing by the grand jury, indictments were returned against three officers but it was found that one of the jurors, Henry Johnson, was drawing a pension from the government, which invalidated the jury's ruling. The trio was connected with the brutal beating of three colored prisoners, Water Johnson, Hueston Brooks and John T. Milton in the First Precinct Aug. 21—22. Dist. Atty. L. A. Rover presented the cases to a new grand jury resulting in the new indictments.

GOVERNMENT PROBE PROVES FRUITFUL

Afro-America 10-31-31

WASHINGTON.—Eighteen policemen, including three headquarters detectives and two precinct detectives, and a civilian charged with obstructing justice, were indicted, Friday, by the grand jury as an outgrowth of the government's expose of the third-degree brutality in the police department.

The officers indicted are: Detective Sergeants Robert J. Barrett, Arthur T. Fihelly and William Messer, all of headquarters. Precinct Detectives James A. Mostyn and Robert L. Jones. Privates Jesse F. Hasty, Milton B. Groves, Charles R. Bremerman, Hollis H. Clark, Vivian H. Landrum, John Sirola, George Sorber, Eugene Lambert, Lewis E. Hazard, and George E. Perry.

No Colored Indicted

The stations in which the alleged beatings and fifteenth century barbarities took place are Precincts 1, 2, 9 and 10, and at headquarters.

The charges are all those of assault, but the most significant fact that confronts the reading public is the fact that of the entire number of colored guardians of the law not one member of the darker race is implicated in the dastardly and inhuman practice of giving prisoners "the works" to force confessions or assuage uncontrollable tempers.

Privates William R. Laflin, William T. Burroughs and William C. Grooms, of the First Precinct, are indicted with Detective Mostyn for alleged assault with a rubber hose on James Henry Harker, white. It was Harker's complaint that he had been brutally assaulted while held on a charge of burglary that caused the investigation into the practices of the department and brought to light that colored prisoners were frequently beaten and inhumanly treated when arrested for minor crimes or even on suspicion.

The District Commissioners called upon the President and asked that he assign the Department of Justice to the task of running down alleged "third-degree" tactics on the part of the police, and the order was issued. All of the indictments against the "limbs of the law" were brought on the evidence secured by Federal agents, some of whom came from distant points to help clean up the "police cesspool."

Mason, the grand jury charged, "did unlawfully, wilfully and corruptly endeavor to influence" a witness in his testimony against one of the accused police officers. Mason pleaded guilty to a charge of obstructing justice and was placed under $3,500 bond.

Detective Messer and Policeman Jesse F. Hasty are charged with wielding a wooden bludgeon on Ralph Ware whom they had arrested on July 4, last.

United States Attorney Leo A. Rover is said to be determined to seek an early trial of the defendants. There were indications that the trials might begin in the next week or ten days.

Convicted

HOTEL DOORMAN CONVICTED OF MURDER

Journal and Guide 12-26-31

Joseph H. Diggs Claims White Victim Hit Him First

Special To Journal and Guide

WASHINGTON MAN GETS 2nd DEGREE FOR KILLING ATTY.

WASHINGTON, Dec. 24 — Joseph Henry Diggs, former doorman at the fashionable Wardman Park Hotel, was found guilty of murder in the second degree by a jury in the District Supreme Court late Thursday in connection with the death of Capt. William Frank Norman, prominent (white) attorney and former assistant attorney general.

The jury deliberated four hours before reaching a verdict. Justice James M. Proctor, who presided over the trial, had dressed to attend a reception at the White House while awaiting the report of the jury. When a verdict was reached, he put his judicial robe over his evening dress and went on the bench to receive it.

The second degree verdict carries with it a possible sentence of from 20 years to life in prison. Sentence will be passed probably next Friday.

Diggs shot and killed Norman in front of the hotel August 12. His attorneys pleaded self defense. They maintained that Capt. Norman struck the doorman several days before the killing and that Diggs armed himself against a threatened further attack.

Justice Proctor charged the jury on first degree and second degree murder. He declined a request to instruct on manslaughter. He spent two hours discussing his charge with Russell Kelly of defense counsel and Julian I. Richards, an assistant United States attorney. He instructed the jury on a possibility of an acquittal after Mr. Richards said he would not object.

Men prominent in public life took the stand last Wednesday in defense of Diggs. Representative William E. Hull, Republican, of Illinois; Raymond T. Baker, former director of the mint; William P. McCracken, Jr., a former assistant secretary of commerce; and Major Julius I. Peyser, local bank president and millionaire lawyer, testified for him. They described Diggs as a reputable young man and said he stood high in their estimation.

Diggs followed his character witnesses on the stand. He admitted he shot Capt. Norman. "I did it because he struck me. I was afraid of him," he testified. He told the jury he was threatened by Norman some 10 days before the fatal fight because he had ordered the attorney's chauffeur not to park Norman's car in a restricted zone near the hotel entrance.

The defendant testified he met Norman in the hotel lobby two days before the shooting. Norman addressed him in a vulgar manner at that time and struck him in the face with his fist. It was then, he said, he decided to arm himself against future attacks.

Diggs told the jury he was standing in front of the hotel two days later, August 12, when Norman came out, muttered something and drew back his fist as if to strike him. Diggs said he drew his revolver and began firing. He stated he could not remember how many shots he fired because "everything went black."

Evidence showed that Diggs shot Norman twice in the back and once while he lay wounded on the pavement outside the Wardman Park Hotel annex.

Mrs. Robert L. Owen, wife of former Senator Owen, of Oklahoma, a resident of the hotel, was the first defense witness. She testified that on the day before the shooting Capt. Norman struck Diggs with his fist, the blow knocking the doorman's hat off. Diggs, she said, picked up his hat and walked away without a returning blow or saying anything.

The jury, which returned the verdict, was composed of six men and six women. It was not selected until the defense exercised all of its 20 peremptory challenges. The Government challenged six prospective jurors. More than a score of others were excused by Justice Proctor because they were opposed to capital punishment or had formed opinions from discussing the case or from reading newspaper accounts.

Norman From South

Norman came here from Chattanooga, Tenn., in April, 1920, to accept a position in the Department of Justice. He remained there until July, 1921. Later he built up a practice here, handling Government claims.

Attorneys Russell Kelly and Frank J. Kelly represented Diggs, while the prosecution was handled by Assistant United States Attorney Julian I. Richards.

Crime—1931

ENGLISH PRISONS LOSE POPULATION

While the housing problem is an acute one in American prisons, both State and Federal, the opposite condition prevails in England and Wales, according to an article in The United States Daily. The information contained therein is based on a report received by the United States Department of Commerce from the Consul General at London. Declines of nearly 50 per cent in both the average prison population and the total number of prisoners have been noted.

Adventiser

Although convictions for indictable offenses, which showed considerable decrease, cannot be taken as an indication of corresponding decreases in offenses, nonindictable offenses have also shown considerable decrease, the report says. Cases of drunkenness, for example, classified as nonindictable, numbered 57,839 in 1929 as compared with an average of 193,354 for the years 1910-1914.

6-29-31

One of the most encouraging features of the British crime situation, has been the reduced numbers of young persons imprisoned, the Commissioners aver, expressing the belief, however, that there could be a still greater improvement in this respect. "The courts still appear to send to prison many young persons who might either be dealt with under the Probation Act or else committed for a Borstal sentence," they state.

Montgomery

An experiment in the payment of prisoners for work done is also described in the report. Payment based on good conduct marks system was discontinued in 1913 owing to its purely negative influence. The new system, which has been tried out successfully at one prison, involves payment for output over a certain basic average. The men were allowed to spend the money so earned on cigarettes and small luxuries. A marked improvement in their morale and behavior was noticed, and the incentive made them more vigorous and cheerful and less inclined to insubordination.

The report, in explanation of this gratifying trend, contents itself with remarking, "It is clear that an improvement in social conditions and social behavior is one of the causes of the decline in the prison population."

Ever since the signing of the Armistice, there has been a sort of impression that pessimism was rampant in England. Without a doubt, there has been an almost continuous industrial depression there, caused largely by worldwide developments that take away from Great Britain that preeminence she once enjoyed in manufacturing, commerce and finance. Then, it has been said that the worthwhile people in England were being destroyed by taxation, and the improvident were being demoralized by government relief. And a world of other things, most of them the reverse of cheerful, were told about the condition of the "tight little island." We didn't know that any one could be so crass an optimist as to note for post-bellum England, "an improvement in social conditions and social behavior."

It's a relief to get a bit of cheering information nowadays that any country is not headed to the bowwows—even when this information comes from a penitentiary.

Crime-1931

Crimes By Whites Put On Negroes

Brings Curfew Law In Miami Against Negro Citizens, Fla.

New York, May 28—An unjust and discriminatory order issued against Negroes by the director of public safety in Miami, Fla., ordering them to keep out of white districts at night, has brought strong protests from white merchants who found their Saturday night shopping trade being interfered with.

Dr. Alonzo P. Holly, of Miami, informs the National Association for the Advancement of Colored People that the director of public safety was compelled to modify his orders by the protest of the white merchants.

"But for the financial hardship resulting," writes Dr. Holly, "no such modification could have obtained. The question is can a director of public safety curtail the constitutional rights of citizens.

"Now as to the alleged decrease in thefts. The fact is that the police records were swamped with thefts and hold-ups, even in daylight throughout the tourist season which closed a few weeks ago. In every instance, these hold robberies have been committed by white adventurers. Some of those caught at night had blackened their faces.

"With the close of the tourist season there naturally ensued an exodus of these crooks; hence the natural decrease in thefts. We feel it a shame that the director of public safety should, on his own personal authority have issued that curfew order to the police, and cast such a reflection on the colored citizens."

Former Porter Tells Facts on Cruelties in Florida

How a Florida roads prison camp boss savagely and brutally mistreated convicts under him and finally landed in prison himself and worked alongside those he once scorned was told to The Chicago Defender Wednesday by Quincy Jones, a pardoned prisoner from Road Camp No. 6, one of the most notorious ever to be established in the Southland.

Details of the inhuman treatment the convicts received from "Capt." C. R. Denmark and his cruel deputies, principally R. M. Milton, the whipper at Camp Six, according to Moore's revelations, are worse than the torture suffered by victims of the Spanish inquisition.

Moore came to Chicago Sunday from Fort Wayne, Ind., with the Johnny Jones circus that continued West.

He was born in Cumberland, Md., and went to Florida in 1921 as a Pullman porter, where he got his first impression of Florida's civilization when he saw a fellow porter, Claude Mitchell, taken from his car and lynched because he helped a white woman from her car at Wauchula. He ran fifty miles to escape the mob, Moore said. Nothing was ever done about the affair.

Sent to prison by Judge J. M. Pealer for 25 years for slaying a man in Jacksonville on March 10, 1922, Moore said he escaped a few months later. He was arrested in Philadelphia and returned to prison. He served seven years, seven months and 12 days.

He plead self-defense at the trial, Moore said, but was told that Florida had no self-defense law. "If the other man had killed you," he quoted the judge as saying, "he would be tried for murder. I'll sentence you to 25 years and after you have served seven or eight years of the term I may help you get out."

He was transferred from the prison farm at Raiford to Camp Six in Madison county to work on road construction. At that time "the whipping strap" was in use at all Florida prison camps.

Reports of men being brutally beaten were made to the state officials at Tallahassee and on May 27, 1927, the legislature issued a proclamation banning the "leather," as the strap was called by convicts. This did not come, though, until after old "Captain" John Higginbotham had whipped Martin Talbert of North Dakota to death. Talbert at the time was working at the Putnam Lumber company, having been leased there along with other prisoners by the state.

Moore, just 29 years old, but appearing considerably older, related how he suffered under Denmark. When the bosses at his camp continued to use the strap after the legislature had banned it, Moore said he wrote a letter to Commissioner of Agriculture Nathan Mayo. The letter read:

"Dear Mr. Mayo: Captain Denmark is still using the "leather" after it had been cut out. We inmates wish to have an inspector to report these facts to you. Inspector Tom Johns is no good. We are obediently your servants,

"INMATES OF CAMP SIX."

Following this letter Moore said his troubles started.

R. M. Milton, one of the bosses, once held up the "leather," a six-yard inch-thick strap, with a handle steadied with three pieces of steel, and said: "When this leaves, I'm going." In the afternoon of the same day, Moore said, Milton told him that it didn't matter how much dirt he carried he was going to be whipped just to keep him informed that he was on the chain gang.

When a prisoner was whipped, Moore said, he was held by two other convicts, usually trusties. In summer, when the prisoners wore no underwear, they were whipped without being undressed, but in winter their trousers were lowered. There was no limit to the number of lashes a prisoner got. The whipper customarily beat the victim until the whipper got tired. Blisters and open flash wounds as large as one's hand would often be found on a convict's back.

Moore said he was placed in a sweat box, another form of punishment, that was torrid in summer and bitter cold in winter. While in the box, he declared, he was agitated by having obnoxious disinfectants poured inside the inclosure. In there he was forced to drink a pint of castor oil, in spite of the fact that a two-inch square piece of cornbread and water was all the food and drink he got during each day.

As a result of his incarceration in the box during the last winter he was in prison, Moore said, both of his feet were frozen, which necessitated the removal of two toes from the left foot and three from the right. He walks awkwardly and carries the weight of his body on his heels. It was because of this condition that Gov. Doyle E. Carleton was prevailed upon to grant him a pardon on Oct. 27, 1929.

After his feet were frozen and he became disabled he was sent back to Railford, where, under Superintendent J. S. Blitch, he was treated kindly, Moore said.

One day while at Raiford, Moore related, he saw a new prisoner being brought into the yard, whose face looked familiar. He was a rangy, red-faced white man with a long nose, sandy hair, and an unmistakably mean and cowardly expression on his face. Drawing closer to the stranger, Moore said he recognized him as Denmark, the heartless boss of Camp Six. He had killed a man and was sent to prison for six years.

He was so angered at the sight of Denmark, Moore asserted, that he threatened to attack him. Denmark told Superintendent Blitch and the former road boss was sent to one of the camps to work with men he used to guard. He, too, is said to have been pardoned.

The hobby of the prison guards was whipping prisoners. Denmark's brother-in-law and others not employed, but who used to come around the camp to eat, would chain convicts to horses and take them in the woods and flog them for the fun of it. Several prisoners taken out to be beaten never returned.

In Florida, Moore said, it was common-place to see the bullet-riddled bodies of men lying alongside the road as he and other prisoners went out to work in the mornings. All the convicts lived in constant fear of being shot down, it requiring no provocation whatsoever to cause one of the bosses to use his gun.

Some of those killed at the camps were Tampa Kind, who was serving a 51-year sentence; Oklahoma Red, Mally Riggins, Chavin Jones, alias "Strawberry," and John Henry Morris.

A trusty who lost his trustyship told how Oklahoma Red came to his death. Red had run away from camp, but was caught and returned. One of the bosses asked him what he intended to do. Red said: "I was going to work, I guess."

"Do you think you are?" one of them replied, and they blazed away with their guns. Red was shot three times, once in the forehead, once in the neck and another bullet caught him in the temple. There were three men with guns present and each of them took a shot at Red, the trusty revealed.

Asked why the others were killed, Moore said they were just blown down because Denmark or some of the other bosses felt like shooting.

Their slogan was, he pointed out: "If a Nigger dies we get another one; if a mule dies we buy another one."

If he lives a thousand years, Moore declares, he'll never live in Florida again.

Jacksonville, Florida Whites Have their Day in Court

JACKSONVILLE, Fla. — For the first time in the history of the municipal court in Jacksonville, or at least as far back as any officer on the police force can remember, the municipal court session has been devoted entirely to trying white prisoners.

Not a single colored person was tried Saturday, August 29, before Judge I. M. Anderson. Usually, the majority of cases, with the exception of traffic violations, are colored.

Several times recently the whole session has been given over to trying colored, and no whites appeared on the docket. But officers who have been on the police force for more than twenty years say that they cannot remember when the judge did not try a single colored person during the session.

The cases included a number of traffic violators and several white prisoners were sent to the prison farm on drunk and disorderly charges.

Crime-1931

General

BRUTAL METHODS OF THIRD DEGREE PRACTICED ON COLORED PERSONS BARED AS WICKERSHAM COMMITTEE SCORES POLICE METHODS

Washington Herald
Washington, D.C.
8-4-31

Vicious beatings of young Negro boys and girls; wholesale bullying, threatening and whipping of colored persons suspected of crimes, unheard-of discrimination at every step of the trial procedure of those accused, illegal arrests, assaults, perjury, denial of the right to a lawyer—conspire to make the startling story told in the eleventh publication of the Wickersham Commission released here last week. The report on "Lawlessness in Law Enforcement" lays bare the unjust "third degree" methods used by police in every section of the country and especially in the South. Fully one-third of the detailed material in the report concerning the illegal tactics of the police and the trial court deals with the maladministration of justice toward colored victims. The report deals with but a small part of the actual lawlessness existing, and only with cases whose authenticity is unquestioned. The report, prepared for the commission by Zechariah Chafee, Jr., of Harvard Law School, and Walter H. Pollak and Carl Stern, of the New York Bar, spreads in print for the first time the ugly narrative of the bloody annals of American justice.

Boy Beaten for Eight Days

Through the mass of assembled data in the 344 pages of the report is found page after page of accounts of rank injustice. In Arkansas the warden of the State penitentiary whipped an eight-year-old colored boy over a period of eight days in order to make him confess and because "he was a mean hard-headed nigger." In Belzoni, Miss., the sheriff caused a fellow prisoner to beat a Negro under arrest and then finished the job of "making him confess" by severely whipping him with a knotted leather strap.

Mississippi Gives Water Cure

The investigators of the commission found two judicially authenticated cases of punishing colored prisoners with the so-called water cure in Mississippi. Quoting from the language of a judge in one of these cases the report reads: "While some of the men (white) stood upon his feet, Gilbert, a very heavy man, stood with one foot entirely upon the appelant's breast, and the other foot entirely upon his neck. While in that position what is described as the 'water cure' was administered to him in an effort to extort a confession as to where the money was hidden. The water cure appears to have consisted of pouring water from a dipper into the nose of the appellant so as to strangle him, thus causing pain and horror." All of this is said to have happened, the report continues, after the sheriff of the town had freed the man.

Third Degree Used in North

The commission found that the "third degree' was used in th North and was especially wide spread in New York City. In that city it was learned from the data furnished the commission by the Voluntary Public Defenders Committee, that one out of every four applicants for help from this committee complained of police brutality. Of 289 cases involving some form of brutality investigated in 1930 by the Voluntary Public Defenders Committee of New York City, 105 were instances of vicious assaults on Negroes. One seventeen-year-old Negro was blackjacked for twenty minutes in a Harlem station house. Another was clubbed until his leg was broken. Rubber hose, blackjacks, and butt ends of revolvers were used indiscriminately on both men and women.

Methods of Torture

Cases too numerous to mention are recorded from every State in the South. The report lists twenty-five types of physical abuse commonly used wh' n range from beating and continued threatening and questioning to forcing a suspect to sleep with a corpse, holding him incommunicado, kicking out his teeth and forcing him to get drunk.

Trial Procedure Grossly Unfair

Cases cited in the report show time after time that the trial of accused Negroes amounts to a farce. A Negro in Oklahoma accused of murder, who had been kept incommunicado for a month and threatened with lynching, and had no counsel and no inforamtion as to his rights, signed a confession at the district attorney's office; and on the same day, an hour after the information was filed, pleaded guilty and was sentenced to death. In three Kentucky murder cases Negroes were sentenced to death who had been put on trial either the day counsel was employed or soon thereafter. In another Kentucky case witnesses for the defense were not called by the Government and the Negro defendant was sentenced to death. In other cases, where witnesses were allower the defense, the commission reports that threats and coercion was used to prevent them from giving testimony. Inexcusable use of inadmissible evidence was another method used to railroad innocent people to jail and the electric chair, it was reported.

Negroes Not Allowed on Jury

"In two prosecutions of Negroes for murder (Oklahoma and West Virginia) qualified Negroes were deliberately excluded from the jury list," reads the report. Speaking further along this line the report states: "Negroes are the objects of racial prejudice in considerable regions of the country, and the inciting of prejudice against them is especially injurious, since in such regions Negroes almost never sit on juries. Yet prosecutors argue that a Negro should not be tried by the same law as a white man and tell the jury in a Texas prosecution for the murder of a white man, that Southern gentlemen will not condemn the victim of the killing for trying to keep a Negro in his place."

Negroes on Juries Urged

The commission in submitting the report recommended among other important changes of the present criminal administration the following: "The inclusion of qualified persons on jury lists regardless of their color."

"This change," the recommendation went on to state, "requires no statute, but does involve a fundamental change in regions where Negroes have been deliberately excluded."

Report on Washington

The repo on Washington reads encouragingly:

"At the present time, according to trustworthy informants, there are few abuses. The courts are said to scrutinize all confessions very carefully. On January 5, 1925, a grand jury reported the results of an investigation ordered by the court because of the large number of accusations by prisoners and witnesses that the police used rough and brutal treatment. This report found no evidence to show resort to third degree methods for obtaining confessions, etc., but did find evidence of some mistreatment of prisoners for other reasons, which was not general and was limited to only a few officers. In September, 1929, a police trial board was established which investigates all charges against police officers. Since that time there have been six charges for maltreatment of a prisoner; five were dismissed and a fine of $25 imposed in the sixth. There have been 13 charges of maltreatment of other persons, of which 12 were dismissed and a similar fine imposed in one case. The present city police are stated to be men of high character."

23 MEET VIOLENT DEATH IN DIXIE OVER WEEK-END

Guns, Automobiles, Fire and Knives All Play Part

BY THE ASSOCIATED PRESS.

Guns, automobiles, fire and knives brought about the death of 23 persons in the south over the week-end.

Near Pikeville, Ky., Howard Hall, white, and Finas Williams, negro, killed one another in a gun duel over a debt. At Shreveport, La., J. H. Atkinson, businessman, killed his wife and then himself with a pistol.

Mrs. Alton Jarrell, of Mount Airy, N. C., under commitment to an institution, slashed her husband's throat and shot him dead. Near Lexington, N. C., Mrs. Jake Barrier, a farmer's wife, was found shot to death at home.

Sheriff Oscar McGee, of Griffin, Ga., who slept with a pistol near by, was found dead in his bed yesterday and a coroner's jury decided he accidentally shot himself in his sleep. Will Johnson was shot to death in a quarrel at Cheraw, S. C. Tom Smith, negro, was killed by officers at Florence, Ala., when he resisted arrest.

Dan Stevens, 25, died of a butcher knife wound at Spartanburg, S. C., and his sister-in-law, Mrs. Nellie Collier, was held.

At Greenville, Miss., George Rigney Jr., white, and Alex Williams, a negro, died in a fire of undetermined origin which swept the building used by the United States government central area levee building forces and the Ernest Lewry Transfer and Storage Company.

James Russell, 25, and Bill Overby, 22, were killed near Centreville, Tenn., when their car overturned. D. Berger, former chief of police of Athens, Tenn., was killed in an automobile collision near there.

Charlie Reed, 8, was killed at West Blocton, Ala., when a car turned over. Elbert Gunn, of Kewanee, Miss., was fatally injured by a passing car that struck him as he repaired a tire. Charles F. Patterson, Glenn Allen, Ala., was killed in an automobile wreck at Texas, Ala.

At Tallahassee, Fla., Joseph Reese, 27, was killed when his car collided with that driven by his younger brother, William, at a street intersection.

Benton Craney, 34, of Paris, Tenn., shot Saturday night after a fight with Hurley Henderson, died early Monday. Henderson was charged with first degree murder.

R. Dennis Todd, 26, a school teacher at Yuma, Tenn., was injured fatally Monday when his automobile was struck by a passenger train on the outskirts of Memphis. His car was hurled about 100 feet by the impact and he was pinned beneath the wreckage. Todd died in a hospital two hours after the accident. He was attending summer school at the State Teachers' College at Memphis.

ROANOKE, VA.
WORLD NEWS
AUG 12 1931

THE "THIRD DEGREE."

Police chiefs the country over are protesting too loudly over the Wickersham report on "third degree" methods by which confessions are extorted. It has quite evidently flicked them on the raw. That such methods are used to a greater or less extent in the larger cities, where there is a considerable foreign population, has been generally known. Southern police authorities are not without blame for the way in which Negro suspects have sometimes been treated.

The unfairness of it all must rankle every American citizen. The man who is well known, or who has friends who are active in politics, is treated with every courtesy, allowed to summon a lawyer, and in most instances promptly admitted to bail. The man without "pull" is roughly handled, who will give the matter any consid- with which certain lawyers dominate the field of criminal practice in many ing officer to have a financial interties, confirms the report that est in the outcome of any case. It is ich shysters have their runners in our belief that police officers, State he police departments. The way of and city, should be better paid, that he prisoner will be made smoother if they should be more carefully selecte will but summon the lawyer who ed, and more adequately trained. But splits fees with the desk sergeant or it is repugnant to all sense of justice ailing magistrate. that a financial inducement should

The second remedy is that it is be offered in the form of fees to

Two remedies will ocur to everyone Attorney. The suspicious frequency

against public policy for any arrest-

bluffed or scared into damaging admissions, refused opportunity to no- much to lessen the widespread abuse, such s tify friends, and where not physical- No newly arrested prisoner should ly abused, is subjected to many hours be questioned except in the presence of grilling questions, in the hope of of some police official of the rank he will trapping him into saying something representative of the Commonwealth's that can be used against him. Attorney.

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Crime-1931

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Guns, automobiles, fire and knives brought about the death of 23 persons in the south over the week-end.

Near Pikeville, Ky., Howard Hall, white, and Finas Williams, negro, killed one another in a gun duel over a debt. At Shreveport, La., J. H. Atkinson, businessman, killed his wife and then himself with a pistol.

Mrs. Alton Jarrell, of Mount Airy, N. C., under commitment to an institution, slashed her husband's throat and shot him dead. Near Lexington, N. C., Mrs. Jake Barrier, a farmer's wife, was found shot to death at home. Sheriff Oscar McGee, of Griffin, Ga., who slept with a pistol near by, was found dead in his bed yesterday and a coroner's jury decided he accidentally shot himself in his sleep. Will Johnson was shot to death in a quarrel at Cheraw, S. C. Tom Smith, negro, was killed by officers at Florence, Ala., when he resisted arrest.

Dan Stevens, 25, died of a butcher knife wound at Spartanburg, S. C., and his sister-in-law, Mrs. Nellie Collier, was held.

At Greenville, Miss., George Rigney Jr., white, and Alex Williams, a negro, died in a fire of undetermined origin which swept the building used by the United States government central area levee building forces and the Ernest Lewry Transfer and Storage Company.

James Russell, 25, and Bill Overby, 22, were killed near Centreville, Tenn., when their car overturned. D. Berger, former chief of police of Athens, Tenn., was killed in an automobile collision near there.

Charlie Reed, 8, was killed at West Blocton, Ala., when a car turned over. Elbert Gunn, of Kewanee, Miss., was fatally injured by a passing car that struck him as he repaired a tire. Charles F. Patterson, Glenn Allen, Ala., was killed in an automobile wreck at Texas, Ala.

At Tallahassee, Fla., Joseph Reese, 27, was killed when his car collided with that driven by his younger brother, William, at a street intersection.

Benton Craney, 34, of Paris, Tenn., shot Saturday night after a fight with Hurley Henderson, died early Monday. Henderson was charged with first degree murder.

R. Dennis Todd, 26, a school teacher at Yuma, Tenn., was injured fatally Monday when his automobile was struck by a passenger train on the outskirts of Memphis. His car was hurled about 100 feet by the impact and he was pinned beneath the wreckage. Todd died in a hospital two hours after the accident. He was attending summer school at the State Teachers' College at Memphis.

ROANOKE, VA.
WORLD NEWS
AUG 12 1931

THE "THIRD DEGREE."

Police chiefs the country over are protesting too loudly over the Wickersham report on "third degree" methods by which confessions are extorted. It has quite evidently flicked them on the raw. That such methods are used to a greater or less extent in the larger cities, where there is a considerable foreign population, has been generally known. Southern police authorities are not without blame for the way in which Negro suspects have sometimes been treated.

The unfairness of it all must rankle every American citizen. The man who is well known, or who has friends who are active in politics, is treated with every courtesy, allowed to summon a lawyer, and in most instances promptly admitted to bail. The man with which certain lawyers dominate the field of criminal practice in many cities, confirms the report that est in the outcome of any case. It is such shysters have their runners in the police departments. The way of the prisoner will be made smoother if he will but summon the lawyer who splits fees with the desk sergeant or bailing magistrate.

The second remedy is that it is that a financial inducement should be offered in the form of fees to

against public policy for any arrest- ing officer to have a financial interwho will give the matter any consid- eration. If applied they would do bluffed or scared into damaging ad- missions, refused opportunity to no- tify friends, and where not physical- ly abused, is subjected to many hours of grilling questions, in the hope of trapping him into saying something that can be used against him.

Two remedies will ocur to everyone

representative of the Commonwealth's Attorney. The suspicious frequency

prosecuting officers to make their stories strong enough to stand up on the witness stand. Juries are more and more coming to disregard altogether the statements of those who are out to earn fees, rather than to enforce the law. The profession of law enforcement will not be restored to the place it should have in public esteem until all financial inducements to extort a plea of guilty are removed.

"Third Degree" and Justice

THERE should be little doubt that the use of "third degree" methods in obtaining confessions is prevalent in this country. Charges of police brutality incorporated in the recent report of the Wickersham Commission to President Hoover cover the most flagrant violations of constitutional guarantees of personal liberty and a fair trial. Those practices should have no place in the administration of justice.

The Commission's findings are based on information coming from reliable sources—disinterested observers and former officials of police departments throughout the country. The Wickersham Commission is composed of some of the ablest men and women we have. Their search for truth in the various fields the Commission explored required a thoroughness not often employed in the making of such investigations. Moreover, the Commission had no motive to disparage or discredit police departments. Their only purpose was to arrive at facts in order that the executive and legislative branches of our government might have some basis for action. If "third degree" methods do not exist, it is hardly likely that countless newspaper reports of these methods would appear from time to time. And the Commission did not base its findings upon newspaper reports, of course.

Both federal and state appellate courts have refused to sanction "third degree" methods of wringing confessions from prisoners by repeatedly reversing convictions where it has been shown that confessions were obtained by violence, threats, or promises. The United States Supreme Court has even held that a confession obtained by long questioning without food or sleep, where no physical violence was used, is inadmissible against one charged with crime.

Such an attitude maintained by our higher courts affords some consolation. But it does not meet the practical needs of helpless men. Only a few of them are financially able to place their cases before appellate tribunals. And it is only rare that proof can be adduced to establish the use of "third degree" methods. In the case of the Negro defendant this is a vital consideration, for it is the Negro who is more often the unfortunate victim of such practices. In some cases a lynching follows immediately on the heels of the "confession," regardless of the means by which it was procured.

With organized crime all about us, and the code of the underworld demanding closed lips of apprehended criminals, there is a strong argument for favoring the punishment of offenders by whatever means can do the trick. Still, it is not the duty of police to extort by unlawful means confessions from lawbreakers. It is their duty to find the criminal and then by fair means find the evidence upon which to convict him.

In answer to such questions as proffered by New York's acting district attorney—"What are we to do; give our baby killers ice cream sodas?"—we say, it is better that a thousand suspects go free than that a single innocent man be punished for a crime which he did not commit.

The Commission has urged upon President Hoover the passage of legislative measures or, even, a constitutional amendment to curb "third degree' practices. One recommendation is the inclusion on jury lists of qualified persons regardless of their color. That step certainly will go a long way toward insuring justice for Negroes accused of crime. Yet it cannot take away completely the ill effects of a confession extorted from an innocent person. Police questioning is conducted behind closed doors. Officials certainly are not going to admit their malpractices. And the lone accusation of the prisoner that a "confession" has been forced from him has little effect against their positive denials to the contrary.

One conceivable remedy is a constitutional amendment providing that no confession may be received in evidence against one charged with crime unless it was made in the presence of a disinterested member of the public at large who must testify in court that no intimidation or violence was used in obtaining it. It would be unfortunate if any unnecessary barriers were put in the way of police administrations trying to prevent and punish crime. Nevertheless, since it appears that police are obsessed with the idea that their duty is to find someone to pay for a crime, rather than to find the criminal who committed it, it is only just that some restraint be placed upon their unlawful methods in order to stimulate their zeal along lawful lines.

REGISTER-
ROCKFORD, ILL.
JUL 24 1931

113 AWAIT EXECUTION.

Death on the gallows or in the electric chair or by the firing squad awaits 112 men and one woman in the United States. They are in prisons or jails of 23 states. Unless higher courts intervene or executive clemency is extended, the present year will probably see their passing from earth.

It is an appalling number, yet a small one in view of the great number of homicides committed in this country. There were 2,419 murders in the United States in 1929. One hundred and thirteen human beings face the death penalty, yet murder goes on. Each day sees one or more slayings, seemingly with no thought on the part of the killers that the law may take their own lives. The percentage after all is in their favor.

More than half of those now condemned to die, of whom 10 are in Illinois prisons, have been sentenced to hang. The woman is to die in the electric chair. One, convicted in Utah, has elected to die by rifle bullets.

A survey by the United Press shows that California leads the list of 23 states with a total of eighteen scheduled executions. The number is unusually large because of delays occasioned by the granting of many reprieves by Gov. James Rolph.

Alabama is next with 14, more than the average because it involves the eight Negro youths in the famed Scotsboro case, who have been sentenced to die on charges of criminally attacking two white girls.

Oklahoma has 10 men in death cells.

The number awaiting death in the other states follows:

Missouri, four; Texas, five; Louisiana, five; Pennsylvania, seven; Florida, four; Indiana, four; Colorado, one; Utah, one; Idaho, one; New Mexico, six; North Carolina, eight; Arkansas, one; Virginia, three; Georgia, four; Ohio, five men and one woman; Massachusetts, three; Vermont, one; District of Columbia, five: Iowa, one.

NATIVITY AND CRIME.

The conclusions of another group of investigators for the Wickersham commission in regard to the racial factor in crime call for some cautionary comment. Statistics can be and indeed usually are interpreted according to some bias, deliberate or unconscious. In this case the conclusion emphasized is that they reveal that the native born are responsible for more crime than the foreign born. That conclusion must not be taken for its face value.

If we are to draw any inferences worth while we must examine the term native. In general use the term is used with reference to Americans not merely of native birth but of some generations of American ancestry. In studying the racial factor the mere fact of birth in this country is of little weight. We realize that the first generation of immigrants pass through a trying period in which they often have lost the restraints of the social discipline under which their ancestors lived and have not yet adopted the mores of American social character. Their parents have come to a new country and live under conditions which are not expressive of the main current of American life, often in slums which are created by their own poverty and the demoralization of new adjustments. These conditions do not exist to any great extent in communities of native Americans, using that term as it should be used as meaning Americans of the older stocks and of established living under American conditions. In recent decades immigration has chiefly flowed into the cities, creating conditions, political and social, which are not generally characteristic of communities of settled native character. To assign criminal statistics of these city districts to American nativity gives an erroneous impression so far as the question of the racial factor in crime is to be usefully examined.

Another consideration, from the same point of view, is the high rate of crime among the Negroes, especially of certain districts of the south. This is of course native crime, even defining it in the sense of generations of American residence. It is the result of American conditions, but they are special conditions which do not bear upon the question of modern immigration or race infusion.

Unless these qualifications were taken into account, the conclusion of the report that our immigration policy "can safely be determined on general racial grounds" is not to be given much weight. We are willing to make some discount from the theory that the factor of race alone may be relied upon as determinant of immigration policy. What is sometimes ascribed to race is more properly ascribable to social conditions not only in the country from which the immigrant came but in the situation he finds or creates in this country. But it will take better digested findings than those of this report to overthrow a policy which is founded on a sound discrimination among national strains.

Crime-1931

General

WINSTON SALEM, N. C
JOURNAL

NOV 26 1931

Whites Pass Negroes in Crime

In Missouri there are seven times as many negroes in the State Penitentiary as whites. In South Carolina there are only one and one-fifth times as many negroes as whites in the penitentiary. The rate for negroes in Mississippi is double that of South Carolina. *The Prison News*, published by the prisoners of the North Carolina State Prison considering these facts which were obtained from prison officials, asks the reason for what it calls "glaring inequalities."

"Assuming that men of one Southern State are about as good or as bad as those in any other Southern State, it would seem that the inequalities must be in government, largely in the legislative and judicial departments, but no doubt somewhat tied up with the executive as well. A felony requiring a penitentiary sentence in one State may be only a misdemeanor with a small fine in an adjoining State.

"Or a person in one State may be sentenced for a certain felony to from three to five years, while in an adjoining State for not more than one year for the same offense. Or the same thing might happen among the counties of one State, all of which indicate great inequalities in government as related to crime. There are glaring inequalities between the races of each State and among the negroes of the various States."

The Prison News also gives some facts about the increase in prison population in the South. While the penitentiary population of the South has more than doubled in the decade between 1920 and 1930, the increase being 104 per cent., the number of negroes has increased only 70 per cent. compared with 162 per cent. for the whites. This is something for the white people to think about. And they should not try to save their faces at the expense of the negro.

GREENSBORO, N. C
NEWS

NOV 30 1931

THE MODERN MENACE.

Editor of The Daily News:

The negro race in this country gives hope of considerable progress along the line of law observance. While the courts are full of young white men answering criminal charges comparatively few young negroes are in the courts on similar charges. A quarter of a century ago the reverse was probably true. At that time a young buck negro was just like a swashbuckling young white man today. John Charles McNeill gives a comical picture of him in the little poem printed below:

"I laks to go to coht en see
Dem lawyers scrappin' all fer me.
Dat big jedge, wid the preacher look
Readin' in dat-ar yaller book,
Dem twelve big juries, listenin' close
To how I broke ol' Davy's nose,
En all dese people wut you see,
Dey's all in here beca'se er me.

"If I gits out, de gals is mine;
Dey laks a man kin cut a shine.
If I gits in, dey'll feed me free,
En keep me warm, en let me be
As fat en lazy as I kin.
I kinder hope they'll putt me in."

A young buck "nigger" of thirty years ago clad in a long jim-swinger and expansive bandana with perfume to match was a sight to behold. But he has strangely vanished from among us. His place has been taken by the young white sheik of smart Alek propensities who is incapable of rising above the chimpanzee level and who depends on shine cutting to attract the "gals" and gain recognition in society. Not the "nigger" but the young white sheik is becoming a menace to our civilization.

ARISTOCRAT.

Leaksville.

Crime-1931

General.

Chattanooga, Tenn. News
Monday, January [illegible]

Burnt Cork and Crime

Under the title of "Burnt Cork and Crime," the Commission on Interracial Co-operation has exposed a practice which is not only despicable, but which is dangerous to law enforcement and justice. White criminals who masquerade as negroes throw up obstacles in the way of the machinery of justice, making it more difficult to apprehend perpetrators of crime. They cause race prejudice which reacts against both races.

Some of the evidence gathered by the commission is startling.

In Savannah, Ga., not many months ago, two black men leaped upon a passing automobile and tried to rob its occupants. As the car sped by a post, one of the bandits was knocked off and killed. Examination revealed that he was a white man who had blacked his face with burnt cork. Had he escaped, the crime unquestionably would have been charged to negroes.

After robbing a store in Detroit last January, Vito Randallo, disguised as a negro, was followed to his home and arrested before he could wash the smut from his face.

Battling a black assailant in her home in Norfolk, Va., last November, a woman tore open his shirt and discovered that he was white. His face was blackened and his hands were covered with rubber gloves.

In St. Louis, some time ago, a robber, caught with blackened face, stated that there was an organized group of white bandits who always operated under the mask of color. In this way, he said, it was easy to fool the officers, and, in some cases, even to assist in the search for the suspected negro and to "identify" him when caught.

In August, 1930, a North Carolina daily carried the headline, "Three Negroes Kidnap White Girl," based on the unsupported story of a youth who had represented himself as the girl's escort at the time. A manhunt began at once, and excitement ran high. Ere the day was over, however, officers were beginning to believe that the whole story was faked by the youth who told it, perhaps for the purpose of concealing some misdeed of his own. Within twenty-four hours, nobody believed a word of it. Had his story been a bit more plausible, the consequences might have been tragic.

The conclusion drawn by the Commission on Interracial Co-operation merits the ~~indorsement~~ endorsement of all who want law and order to prevail in the South. The commission declares:

> One need not prolong this recital, nor tag a moral to it. Certainly, it does not mean that negroes do not commit crimes. Unfortunately, they do—sometimes heinous crimes. No racial group has a monopoly in this field. Nor does it suggest that negro criminals should be allowed to escape the punishment of their misdeeds. On the contrary, punishment should be made a great deal more prompt and inevitable than it is, irrespective of race.
>
> The meaning is obvious, however, as it relates to hasty judgment, hysteria, mob violence, and the assumption that every negro is guilty whom anybody seeks to accuse. It suggests, also, that the statistics of negro crime, now happily changing for the better, might be further lightened if all the facts were known and the mask of color torn away.

The evil of lynching, so often traceable to trumped-up evidence, should be eradicated. We believe an understanding of the true situation will help turn the people of the South even more strongly against mob violence than they already have shown themselves to be.

PICKENS FLAYS BIG HEADLINES ON NEGRO CRIME

Houston, Texas, Informer 1-24-31

New York City.—(ANP)—Giving a concrete example of the manner in which a metropolitan daily, magnified, enlarged upon, and distorted a news item affecting a Negro, William Pickens, contributing editor of the Associated Negro Press, wrote the following open letter to the editor of the New York Evening Journal:

"On December 30, 1930, both the New York Evening Journal and the Elizabeth, New Jersey, Daily Journal reported the case of an attack on an 18-year-old laundry employee of Kenilworthy, N. J.

"The New Jersey paper heads its news item: Man Beats Girl, Gets Her Purse. The New York paper heads its item: Pretty Clerk Beaten By Negro.

"These two headings are indices of the differing spirits of the rest of the two reporters:

"The New Jersey paper goes on to show that the girl was not absolutely certain whether the man was white or 'colored;' that the motive was only robbery of her purse; that the criminal, whoever he was, walked up behind her and knocked her in the head with a stone, snatched her purse and ran.

"But when the creative genius of the New York Evening Journal gets hold of this story, let us see: The man is made out to be definitely a 'Negro;' the laundry employee is a 'pretty clerk;' the man grabs her about the waist'—plainly suggestive of other motives; and only snatches her purse and runs because she 'screams' so. In the New Jersey paper her purse contains $1.50; in the New York paper this has been compounded into $3.50. But that is not the point: for it is not hard to reason out that a 'laundy employee' who has only one dollar and fifty cents in her purse, is just as unwilling to be robbed of it, as is a 'pretty clerk,' who has two dollars more than that amount.

"The point is: That the New York paper is doing what reputable papers, North and South, are trying to discourage, namely, the manufacture of race and color prejudice by distorting, exaggerating and falsifying the news about Negro crime or even suspected Negro crime. I am taking the liberty of calling the attention of Negro editors in Harlem to this dangerous crusade of their white contemporary, the New York Evening Jorunal."

Camouflage of Color As Cloak for Crime

BY R. B. ELEAZER.
Education Director, Committee on Interracial Co-operation.

Burnt cork and comedy has long been a familiar combination on the American stage—and popular one. Burnt cork and tragedy, the camouflage of color as a cloak for crime, is a new phenomenon, contemporaneous with the racketeer and the professional gunman. Many have not even heard of it, and few realize how common it has become.

The practice first came to the writer's attention three years ago when a robber, caught with blackened face in a southern city, told of an organized group of white bandis who always operated under the mask of color. They found this an easy way to fool the officers, he said; after rubbing off their disguise they were sometimes even able to assist in the search for the suspected negro, and perhaps to "identify" him when caught.

Since that time many similar instances have come to light, taking first one form and then another. The bandit knocked from an auto and killed in Savannah with the mask of color still upon his face; the supposed negro robber in Detroit who was followed to his home and arrested before he could wash the smut off; the black assailant of a woman in Norfolk revealed as a white man when his shirt was torn in the struggle; a similar case in Louisville where smut from the attacker's hands proclaimed his disguise; the three black men who, with a white companion, last month robbed a bank in Birmingham and were later found to be white men disguised as negroes—these are a few typical examples in which the trick was discovered. In how many cases it worked successfully one can only speculate, since its effectiveness is in the very fact that it facilitates the criminal's get-away and diverts the blame to the negro community. To what extent innocent people have suffered as a result—in suspicion, inconvenience, arrest, and even dire punishment—one cannot know. That the toll has been great seems not improbable.

Close akin to this practice of "blacking up" is the "framing" of negroes, which also is getting to be rather common.

Criminals Using Burnt Cork Flayed

Capital-American
1-31-31

ATLANTA.—The pinning of crimes on Negroes because of their color, is censured in a pamphlet, "Burnt Cork and Crime," issued by an interracail commission which analyzes numerous crimes in which the perpetrator used burnt cork to hide his identity.

Baltimore, Md

The booklet described the Carver murder case at Sebring, Fla., last year, in which a white man was convicted of killing his wife and child after first blaming the colored houseboy for it.

YOUNGSTOWN, O.
VINDICATOR
APR 25 1931

Fair Trials for Negroes

The difficulty of obtaining an unbiased jury is so great under any circumstances that fair-minded men and women will applaud the Supreme Court's decision rendered in a case arising in the District of Columbia that a defendant in a criminal case there is entitled to question the jurors whether they entertain any prejudices against colored persons.

Chief Justice Hughes read the opinion of the majority of the Court. Replying to Justice McReynolds, who had held that it is difficult to say what is prejudice and that courts should not be hindered by excessive theorizing, he said that "the question is not to the civil privileges of the Negro or as to the dominant sentiment of the community and the general absence of any disqualifying prejudice, but as to the bias of the particular jurors who are to try the accused."

Justice Hughes went on to lay down this principle:

> The argument is advanced on behalf of the government that it would be detrimental to the administration of the law in the courts of the United States to allow questions to jurors as to racial or religious prejudices. We think it would be far more injurious to permit it to be thought that persons entertaining disqualifying prejudice were allowed to serve as jurors and inquiries designed to elicit the fact of this disqualification were barred. No surer way could be devised to bring the processes of justice into disrepute.

Racial and religious prejudices are very real things, and all Americans who are interested in making this a country where equality before the law prevails will be happy that the Supreme Court has taken this forward step.

Famous Cyiminal Lawyer Says Negroes Are Easy To Convict

Not Because of Guilt But of No Money

Too Poor to Defend Himself; His Guilt Is Presumed

BECAUSE HE IS BLACK

Irish, Italians, Catholics, Methodists, Preferred as Jurors

WASHINGTON, D. C.—Clarence Darrow, noted lawyer and criminologist, concluded his sixth letcure Saturday in the Howard University Law School with a review of his struggles and accomplishments in the practice of law.

The series of lectures began on Monday, at which time Mr. Darrow stated that one of the best things a fairly intelligent young man can do is to study law; but a successful lawyer needs to know the laws of life as taught in biology, psychology, history and literature, as well as to know the laws of the land.

Easy to Jail Negro

Mr. Darrow called attention to the tendency to eliminate juries and to enlarge the function of judges; that in criminal cases juries show themselves to be more sympathetic toward the accused than judges, who are bound by the technicalities of the law.

"It is easy anywhere in the United States to send a Negro to prison, not because of his guilt," said Mr. Darrow, "but because he lacks the necessary money for proper legal defense." He continued, "Where an accused is black, he is presumed to be guilty because of his color; and the hope for remedying this situation is through properly equipped lawyers and an appeal to the juries' sense of justice."

Democrats Preferred

Since sympathy, emotion, kindliness, and generosity are qualities of a juror that make him favorably disposed to the defendant, Mr. Darrow contended that it is well to consider nationality, business, religion and politics as bearing upon the qualities enumerated.

In connection with this, Mr. Darrow classified jurors in the following order of preference: Irishmen, Italians, Frenchmen, Germans, Englishmen and Jews; as to religion—Catholics, and of the Protestants—Methodist, Unitarians, Universalists, Congregationalists. Democrats are preferred to Republicans.

He also stated that Swedes, Norwegians, Baptists, Presbyterians, farmers, and ex-service men are not likely to be sympathetically disposed toward the defendant.

Genius Knows No Color Line

Thursday, at noon, Andrew Rankin Chapel was taxed to its capacity as Dr. Darrow addressed the entire student body. After reviewing the difficulties and hardships of the Negro, he sounded a note of hope in the Negro's possession of property and his eagerness for education, stating that in genius and intellect there is no color line.

In consideration of the progress of the race over the last 65 years, Mr. Darrow said that one needs but to use his imagination as to what the future will bring forth, and in the strength of that vision Negroes should work now for the benefit of coming generations.

With Oscar DePriest

Following the chapel exercises, Mr. Darrow, together with Congressman Oscar DePriest and other invited guests had luncheon with President Mordecai W. Johnson, deans and heads of departments in the Trustee's Dining Hall.

WASHINGTON, D. C.
POST
MAR 9 - 1931

CHICAGO'S FAIR NAME.

Representative Oscar De Priest arose on the floor of the House a few days before Congress adjourned to defend the fair name of Chicago. He wants the people to understand that Chicago is not a crime city. The American people should not continue their disparagement of the Illinois metropolis, because it is planning to celebrate in 1933 a "century of progress."

Mr. De Priest brought forth statistics to disprove the calumny that has been heaped upon Chicago. Washington, he says, has more crime per capita than Chicago. In a list of 68 cities Toledo, Norfolk, Indianapolis, Spokane, Seattle, San Antonio, El Paso, Miami and numerous others have dreadful records for crime. But the fair name of Chicago is hidden among the hick towns where crime is all but unknown. Indeed, it is sixty-eighth on the list of 81 cities. The number of crimes per capita is only a fraction of what it is in some of the really bad American towns.

Nor can any one impugn Mr. De Priest's statistics. They are taken from tables compiled by the Bureau of Investigation of Department of Justice and include all such vile offenses as murder, manslaughter, robbery, assault, burglary, larceny and auto theft. Yet there seems to be one little loophole through which the matter might be viewed from a slightly different angle.

This record on which Chicago chooses to rest her reputation is a tabulation of "known offenses." If crimes are not "known," of course, they are not counted. And be it said in justice to the Windy City that her police and officials do not "know" more than is convenient. For example, the activities of Al Capone, who has come to be known as Chicago's most prominent citizen, are not "known" to Chicago police. When he was released from a Chicago jail a couple of years ago he paid a visit to the Chicago police and found himself "not wanted."

Mr. Capone is now in the toils of the Federal court for contempt, and there is a movement on foot to charge him with income tax evasion. But he does not figure in the crime statistics of Chicago, and it is fair to assume that most of his henchmen and the other "big shots" in Chicago's greatest industry are "unknown." The Chicago criminal is above (or below) mere statistics.

For the purposes of the world's fair let the records show that Chicago is a paragon of excellence. But the people who gather there from all parts of the globe will be disappointed if they don't see at least one good gang murder.

ROME, N. Y.
SENTINEL
MAR 9 1931

Negroes Perish in Cells.

As compared with the loss of 317 lives in the Columbus, Ohio, prison fire of something less than a year ago, the burning to death of eleven Negro convicts in a North Carolina stockade may not be particularly shocking. Yet, standing by itself, it constitutes a horrible occurrence and one that seems on the face inexcusable. It would appear that there must have been some cardinal defect in construction to render it impossible to free the eleven as well as the forty-one other prisoners from the flames. Why guards and "residents of the community" should have been required to "rush into the burning building time after time to lead forth the prisoners" needs explanation.

As a matter of fact the South—and perhaps some of the Northern states as well—has many a temporary road or other construction camp where prisoners are held that may be rated a potential firetrap. Good fortune, probably, rather than good management, has saved the inmates from being roasted to death.

In this connection it is instructive to note the recent statement from Savannah that in the county jails of South Georgia in recent years the number of white prisoners has been increasing while that of the Negroes has been decreasing. This is explained by the departure of many Negroes for the North, by the improved status of the Georgia Negroes and the number of whites convicted under the prohibition acts.

KNOXVILLE, TENN.
NEWS SENTINEL
APR 21 1931

"Justice in Disrepute"

NEGROES are denied justice so often in American courts, it is encouraging to find the U. S. Supreme Court blocking that barbaric practice. Yesterday the high court granted a new trial to Alfred Scott Aldridge, a District of Columbia negro convicted of murdering a policeman, because the trial judge had refused to permit the defense to question prospective jurors as to racial prejudice.

Only one justice was to be found on the Supreme Court to uphold the lower court. That was McReynolds. In his dissent he went out of his way to sneer—"racial prejudice—whatever that may be," was the way McReynolds described it.

Fortunately the rest of the Supreme Court had heard of racial prejudice. Chief Justice Hughes, in his decision for the court majority, stated the issue:

"The argument is advanced by the Government that it would be detrimental to the administration of the law in the courts of the United States to allow questions to jurors as to racial or religious prejudice. We think it would be far more injurious to permit it to be thought that persons entertaining a disqualifying prejudice were allowed to serve as jurors and that inquiries designed to elicit the fact of disqualificaion were barred.

"No surer way could be devised to bring the processes of justice into disrepute."

Crime -1931

General.

Vagrancy and Chain Gang

By WALTER WILSON.
(Three Articles, No. 3)

IN some camps colored and white workers eat sleep and work together. In others the Negroes are segregated. One particular evil develops out of the segregation policy. White prisoners are used as guards and, as only the sycophantic are selected, frequently these trusties are used to chase escaped Negroes with blood hounds and guns.

Daily Worker

The new prisoner who arrives at the camp, not knowing the despicable character of these trusties, is often encouraged to attempt escape by trusties and guards who hope to split the bond money or get a reward for recapturing the escaped. These brutes take quite a sport in man-hunting with blood hounds—"just like fox-hunting"! It gives the young dogs such "valuable training"! Several cases in recent years of guards using convicts as subjects on which to train dogs have gotten into the press in spite of efforts to censor such news. A prisoner who has incurred the displeasure of the guards is forced to get some distance ahead of a guard holding the dogs. The dogs are released and chase the convict who barely has time to take refuge in a small tree. From the tree he is forced to tease the dogs who have bayed him by throwing stones at them or striking them with a long pole.

New York

When the guards feel that the dogs are savage enough the convict is made to jump among the dogs; if he is hesitant, the guards force him to jump by shooting him from a distance with small gun-shot. The angry, snarling dogs, mangle the worker into insensibility before the guards call them off.

N.Y.

Let a 16-year-old boy, tall for his age, very thin, with a complexion ravaged with disease tell his story. He is fresh from a North Carolina chain gang, to which he was sent when picked up hunting for work:

"They hauled me before a magistrate who sentenced me to 90 days on the chain gang. When the judge said that, I couldn't help but cry. I told them I was only 16.

"The three months I spent on that chain gang was just a hell on earth. I don't want to remember it. Night after night I cried myself to sleep in a big iron cage crowded with convicts, lots of them just eaten up with disease. Some of the convicts would pat me on the back and try to cheer me up.

"Corn bread and peas, and corn bread and molasses was all we got to eat. We worked from daylight till it got too dark to work at night. 20 to 30 had to wash in the same tub of water. That's how I got these sores on me. I don't know what kind of disease I've got and I have no money to pay a doctor to find out."

To serve your sentence on the chain gang and to be released does not always mean a respite according to the 1929 Handbook of Penal Information, for in Georgia "men are turned loose without any cash and given a railroad ticket to the point from which they were sentenced. On arrival without jobs or funds they are subject to re-arrest as vagrants by the police force and to trial by court officials who are paid on the fee basis for conviction."

Some of the products produced by chain gang labor are turpentine, tar, lumber, crushed rock, etc. Besides there is the use of convict labor by the state or contractors in building concrete and other types of roads. The correct value of these products cannot be ascertained because of the graft inherent in the system. The seriousness of the competition to other labor is attested to, however, by the fact that convict made goods and road gangs are an issue in nearly every southern state. The chief value to employers lies in coercing "free" labor to work at starvation wages on the outside.

Another form of prison labor camps similar to chain gangs but not so well known are the mines and prison farms. Prisoners convicted of the same "crimes" go to these camps as to the chain gangs. Everything that has been said about conditions on the gangs can be said about these camps. Each type can be described in a few words.

The state of Tennessee maintains a coal mine camp at Petros, Tenn. The coal produced is sold by the state in the open market. A state legislature committee recently investigated the mine. According to the admission of the committee "the wooden four-story barracks are a fire and death trap." At the time of the investigation 146 prisoners out of 1,000 were down sick with influenza and pneumonia. They were scattered throughout the prison, with only one doctor and hospital accommodations for 8 prisoners. It was shown that eight times as many men have been killed by violence and accident at the mine camp than at the central state prison in the same length of time. In the period, 1930-1 there were thousands of hospital cases, mostly whippings for non-performance of work. "Sodomy is prevalent" with the knowledge of the authorities, says the chairman of the committee.

The Imperial Prison farm near Houston, Texas, is fairly typical of the great prison farms. There we will find all the evils of the other camps. Mounted and armed guards ride among the toiling prisoners and whip them when they fall behind with their work. Literally hundreds of prisoners are whipped to death. There have been several white-wash prosecutions in recent years for death-whippings.

Guards are rewarded for shooting prisoners trying to escape. Trusties are given pardons as an incentive to shoot. The shrill prison whistle and the baying of dogs is a notice that guards and planters are engaging in their favorite sport of man-hunting.

In addition to the forms of prison camps already described there is the common practice of leasing out prisoners to private individuals or concerns. That this is still a practice is evidenced by a reply to my questionnaire on forced labor from a Louisiana editor: "It is against the law to lease prisoners to private concerns, but nevertheless Governor Long is doing it.

THE STIGMA OF CRIME

Under the department heading of "Topics of the Times," the New York Times recently printed the following plea, with the side title "Against Race Discrimination." The appeal is so opposite to a similar state of affairs that prevails in the public press on the reports of crimes attributed to Negroes, that we reproduce the article in full:

Age 4-11-31

The editor of Il Progresso Italo-Americano in this city has begun a campaign in behalf of his fellow-citizens of Italian birth. What he objects to is the use of the word "Italian" particularly to describe a person or persons figuring in the news of crime. The contention is that it is sufficient to print the names alone, without any identification of racial origin. Omission of the latter is now almost the rule in the case of other criminals of foreign birth, and there is no reason, the editor argues, why it should not be applied to Italians.

It might seem that most Italian names speak for themselves. Yet it may be, as Il Progresso suggests, that sometimes desperate criminals assume an Italian name as a form of alibi. There appear to have been such cases.

It is not denied that Italians frequently appear in our police records. But the point is that the few criminals ought not to be so referred to as to bring an implied reproach upon the great body of industrious and law-abiding Italians who have become American citizens. In this sense the appeal made by Il Progresso is one that cannot fail to arouse sympathy.

The Negro not only has to bear the stigma of the crimes committed by criminals of his own race, but is also forced to bear the burden of those crimes falsely attributed to the race, because they are often perpetrated by white criminals masquerading in a coat of burnt cork. That the crimes reported of this nature are not inconsiderable in number and importance was shown by a compilation of cases of false accusations, reprinted and brought up to date in a March issue of the Norfolk Journal and Guide, under the heading of "Padding Our Crime Statistics."

Eighteen cases were cited of crimes charged against Negroes, some of whom were convicted and serving time for crimes that they never had committed. In some of these cases the accusers recanted their false testimony, given often to cover up personal misconduct or to shield some white person. In one case the criminal who jumped on a running board to rob the occupants of a motor car was killed, when it was found that although his face was blackened with charcoal, he was white. In several cases husbands killed a wife and then sought to fasten the murder upon some friendless Negro. Two Negroes were framed in Texas as bank robbers so that a reward of five thousand dollars might be collected. The offer of three thousand dollars by a railroad in Mississippi for the arrest of train wreckers brought about the framing of two other Negroes, so that private detectives might collect the reward. Fabrication of stories of assault by both men and women, in which the assailants were said to be Negroes, were not uncommon.

The Norfolk editor termed his compilation a very interesting study for those concerned with criminology and a very serious thing for the Negro race, which in addition to the misdeeds of its own members has frequently to bear the onus of crimes committed by members of the white race. In some sections where crimes of this nature are charged, the accused is not any too sure of an a fair and impartial trial. Too often a howling mob is after the sheriff, to lynch the prisoner first and settle the matter of his guilt afterward, if at all. Even if a trial is given in court too often it is a one-sided proceedingwith out proper opportunity for defence.

In certain states like Virginia, there has been a degree of improvement in this regard, as proved in the case of William Harper, who was convicted on the charge of attacking and robbing a woman named Skaggs. He was condemned to the electric chair but obtained a second trial, when a dozen witnesses testified to his inno-

cence and acquittal followed. Mrs. Skaggs, it apeared, had perjured herself to cover up an escapade with another man from her husband.

Racial discrimination in the matter of crime is a dangerous thing, bringing about frequent injustice and perverting the true intent of the law

KILLINGS IN NATION NEAR PEAK IN 1930

31 Leading Cities Show Average Homicide Rate of 10.9 Per 100,000 Against 5.1 in 1900.

4-9-31

69 INCREASE FOUND HERE

New York, N.Y.

Chicago With a Rate of 14.4 Leads Big Cities, Insurance Survey Reveals.

The homicide rate for thirty-one leading American cities increased from 5.1 per 100,000 population in 1900 to 10.9 in 1930, according to figures published today in The Spectator, a business paper covering the insurance field. These cities in 1930 had a total population of nearly 25,000,000. The homicide rate reached its peak of 11.3 per 100,000 in 1925, a figure slightly above the 1930 average.

The number of homicides in the five largest cities of the country increased from 1,333 in 1929 to 1,425 in 1930. In three of these cities the number increased, while it declined in two. Chicago had the highest homicide rate for the year in this class with 14.4 per 100,000 population. Detroit followed with 13.3, Philadelphia with 7.7, New York with 7.1 and Los Angeles with 6.6.

Chicago had eighty-eight more homicides in 1930 than in 1929. In New York City there were sixty-nine more. These figures are taken by the writer of The Spectator article to support his conclusion "that conditions affecting the security of life in our two largest cities are growing worse."

Homicide Gains Tabulated.

The consolidated return of deaths from homicide in the thirty-one cities from 1900 to 1930 follow:

Year.	Population.	Homicides.	Rate per 100,000 Population.
1900	11,981,034	609	5.1
1901	12,331,665	603	4.9
1902	12,611,765	621	4.9
1903	12,980,877	690	5.3
1904	12,956,583	729	5.6
1905	14,024,422	931	6.6
1906	14,851,650	1,148	7.7
1907	15,648,584	1,338	8.6
1908	16,056,800	1,272	7.9
1909	16,465,016	1,196	7.3
1910	16,873,233	1,365	8.1
1911	17,243,138	1,429	8.3
1912	17,613,045	1,464	8.3
1913	17,982,950	1,575	8.8
1914	18,352,856	1,566	8.5
1915	18,722,762	1,614	8.6
1916	19,092,668	1,742	9.1
1917	19,462,572	1,777	9.1
1918	19,832,478	1,672	8.4
1919	20,202,383	1,831	9.1
1920	20,605,682	1,756	8.5
1921	21,030,229	2,048	9.7
1922	21,454,776	2,025	9.4
1923	21,879,323	2,299	10.5
1924	22,303,870	2,496	11.2
1925	22,728,417	2,567	11.3
1926	23,152,964	2,377	10.3
1927	23,577,511	2,426	10.3
1928	24,002,058	2,464	10.3
1929	24,426,605	2,419	9.9
1930	24,747,010	2,692	10.9

Figures also are given showing that the average homicide rate in 147 cities in the United States increased from 10.4 per 100,000 in 1929 to 11 in 1930. In the latter year these cities had a total population of more than 39,000,000. The rate increased in seventy-three cities, The Spectator says, declined in sixty-one and remained the same in thirteen.

Fourteen cities reported a homicide rate of thirty or more per 100,000. Twelve of these cities are in the South, the highest rate, as usual, being reached in Memphis, Tenn., where it was 58.8 per 100,000 in 1930, against 51.6 the preceding year.

Cities With Highest Rate.

Cities with a homicide rate of thirty or more per 100,000 were:

	1929.	1930.
Augusta, Ga.	51.9	38.0
Atlanta, Ga.	49.1	52.6
Birmingham, Ala.	45.1	49.1
Gary, Ind.	17.5	30.6
Hamtramck, Mich.	18.0	30.1
Jacksonville, Fla.	52.1	34.5
Lexington, Ky.	41.8	52.4
Macon, Ga.	29.8	31.6
Memphis, Tenn.	51.6	58.8
Miami, Fla.	33.8	36.8
Mobile, Ala.	31.1	30.7
Nashville, Tenn.	21.9	37.6
Savannah, Ga.	47.1	36.4
Shreveport, La.	37.8	41.4

"For all essential purposes," The Spectator says, "our lamentable position regarding crimes of violence continues about the same. Murder has become so common in this country that even the most atrocious crimes attract but passing attention. It is a very serious error to assume that these crimes of violence against the person are chiefly of gangster origin. Murders occur throughout the country, from the largest cities to the smallest rural settlements, affecting all classes, old and young, rich and poor, white and black, employed and unemployed. No person today is safe, as is abundantly shown by countless illustrations appearing in the daily press. The present situation strikes at the very root of our civilization. Our homicide rate is by far the highest for any civilized country in the world."

The Spectator says the average homicide rate for Leningrad from 1924 to 1929 was 9.9 per 100,000, and that of Moscow from 1924 to 1928 but 4.9. Leningrad in 1929 had a population of 1,800,000, while Moscow in 1928 had 2,220,000. The rate for Germany for 1927 is given as 2 per 100,000, showing a continuous decline since 1920. The rate for Austria was reported as 3, while the rate for Hawaii was 8.5. The rate for England and Wales dropped from 0.8 in 1920 to 0.5 in 1929.

According to The Spectator, approximately three-fourths of American murders were committed with firearms.

"The sale of revolvers and other concealable weapons as well as machine guns," The Spectator continues, "is a profitable business so obviously opposed to public policy that the most drastic interference on the part of the authorities is justified. In Massachusetts, where the firearms law is reasonably well enforced, the murder death rate is reasonably low, many cities having no homicide deaths during 1930."

NEW YORK TELEGRAM

APR 21 1931

TESTS OF JURIES AS TO RACE BIAS DECREED BY U. S.

Supreme Court Rules on Murder Case Involving Negro.

By Scripps-Howard Newspaper Alliance.

WASHINGTON, April 21.—The United States Supreme Court has decided that prospective jurors in criminal cases involving two races should be questioned as to racial prejudice.

"No surer way could be devised to bring the processes of justice into disrepute than to omit inquiries which would elicit the fact of disqualification," wrote Chief Justice Hughes in the majority opinion yesterday.

McReynolds Dissents.

In a dissenting opinion, Associate Justice McReynolds, of Tennessee, only Southerner on the bench, said it was the duty of courts to deal with "matters actual and material" and not hinder justice by excessive theorizing" about racial prejudice.

The case that brought forth these opinions was that of Alfred Scott Aldridge, Negro, convicted of having killed a white policeman of the District of Columbia. The Negro's plea for a new trial was based on the assertion that the trial judge had refused to allow questions concerning racial prejudice.

Victory for Ex-Page of Court.

The decision was a great victory for James F. Reilly, 28-year-old lawyer, who just a few years ago had served as Supreme Court page and had pushed up the great easy chairs for the justices. He took the case without compensation and won the unusual honor or having the Supreme Court grant a review in a capital case, and now the even more unusual victory of a reversal.

"The argument is advanced on behalf of the government that it would be detrimental to the administration of the law in the courts of the United States to allow questions to jurors as to racial or religious prejudices," Justice Hughes stated. "We think that it would be far more injurious to permit it to be thought that persons entertaining a disqualifying prejudice were allowed to serve as jurors and that inquiries designed to elicit the fact of disqualification were barred. No surer way could be devised to bring the processes of justice into disrepute."

Besides saying the Negro's conviction should be upheld, Justice McReynolds' opinion indicated he was puzzled both as to what a "Southerner" was and what "racial prejudice" might be.

"It does appear," Justice McReynolds wrote, "that counsel said he understood at a former trial, a female juror, a Southerner (whatever that may mean) declared 'the fact that the defendant was a Negro and the deceased a white man perhaps somewhat influenced her.'

"Solely because of the refusal of the trial judge to propound an undisclosed question 'relative to racial prejudice', (whatever that may be) we are asked to upset a judgement approved by the judges of both local courts who, it is fair to presume, understand conditions in the district better than we do."

Crime-1931

General

Atlanta's Homicide Death Rate Second in Country Last Year

Atlanta, Ga.—

Atlanta had the unenviable distinction last year of showing the second largest homicide death rate of all the cities in the United States, being surpassed only by Memphis, Tenn., it is shown in statistics just released for publication by The Spectator, well-known New York business paper of insurance. Louisville, Ky., comes third in the list, and it is significant that of the 14 cities showing the highest rate, 12 are located in the south.

Atlanta's 1930 rate of 52.6 deaths from homicide per 100,000 population showed a slight numerical increase over the previous year when the figure stood at 49.1, this city trailing Jacksonville, with 52.1; Augusta, with 51.9, and Memphis, with 51.6. In the past year Memphis homicides soared to a mark of 58.8, while both Augusta and Jacksonville showed noteworthy decreases, dropping to 38 and 34.5, respectively.

The following table of cities with a homicide death rate of 30 or more per 100,000 population, affords a ready basis for comparison:

CITY—	1930	1929
Augusta, Ga.	38.0	51.9
Atlanta, Ga.	52.6	49.1
Birmingham, Ala.	49.1	45.1
Gary, Ind.	30.6	17.5
Hamtrack, Mich.	30.1	18.0
Jacksonville, Fla.	34.5	52.1
Lexington, Ky.	52.4	41.8
Macon, Ga.	31.6	29.8
Memphis, Tenn.	58.8	51.6
Miami, Fla.	36.8	33.8
Mobile, Ala.	30.7	31.1
Nashville, Tenn.	37.6	21.9
Savannah, Ga.	36.4	47.1
Shreveport, La.	41.4	37.8

In partial extenuation of Memphis' habitual place near the head of the class, it is pointed out that "the exceptional hospital facilities of that city attract patients from the surrounding country, which tends to exaggerate the local homicide death rate. But even when allowance is made for this fact, on the basis of a careful study of residents and non-residents, the local rate still continues extremely high. If the 95 deaths within the city limits in 1930 are figured on the population of 255,000, the resulting rate is a little over 37 per 100,000, or more than three times the normal rate for the country at large. If a similar correction were made for other cities with excessive homicide death rates, there is no reason to question but the unenviable pre-eminence of Memphis respecting homicide would still be about the same as for previous years."

Constitution

During the past 31 years the homicide death rate for 31 American cities with total population of nearly 25,000,000 in 1930, rose from 5.1 per 100,000 in 1900 to 10.9 in 1930; and, as indicative of the fact that homicide is still on the increase, the rate in 147 American cities with a collective 1930 population of over 39,000,000 increased from 10.4 per 100,000 in 1929 to 11.0 in 1930. The rate increased in 73 cities, declined in 61 and remained the same in 13.

4-13-31

In the country's five largest cities the number of homicides increased from 1,333 in 1929 to 1,425 in 1930, with the highest rate for the year, as might have been expected, occurring in Chicago, with 14.4 per 100,000. Detroit is second with 13.2, followed by Philadelphia, with 7.7, New York with 7.1, and Los Angeles, with 6.6. There were 88 more deaths from homicide in Chicago last year than in 1929, and in New York 69 more, indicating that conditions affecting the security of life in our two greatest cities are growing worse.

"For all essential purposes," states The Spectator, "our lamentable position regarding crimes of violence continues about the same. Murder has become so common in this country that even the most atrocious crimes attract but passing attention. It is a very serious error to assume that these crimes of violence against the person are chiefly of gangster origin. Murders occur throughout the country from the largest cities to the smallest rural settlements, affecting all classes. No person today is safe, and the present situation strikes at the very root of our civilization. Our homicide death rate of 11.0 per 100,000 population is by far the highest for any civilized country in the world."

Considered as an isolated incident, the shooting of one south Missouri preacher by another could be dismissed as something pathetic and regrettable, but in the public mind it will be bracketed with various other doings in rural communities of late, doings which seem to indicate that the cities, by contrast or comparison, are less black than they have been painted. Organized rural gangs engage in sundry forms of outlawry, not infrequently against women. Lynching bees are almost entirely a rural atrocity. Yet lawmaking bodies hesitate to give the city, because of its wickedness, the voice in state affairs to which its voting power entitles it.

There are more crimes in the cities because more people live there, but it is seldom that these crimes reveal the whole aspect of the brute. It is axiomatic that a city contains representatives of the best and the worst in humanity, but it is not generally conceded, even if it is recognized, that in or near a city, is offered the most wholesomely rounded out life. The diversions and attractions of a city are mainly healthy, physically, morally and mentally. The city dweller is not cabined in his own mental ineptitude.

It may be the emptiness, isolation and undiversified monotony of the smaller communities which results in decaying stock, brutishness violence of prejudice, envy, resentful ignorance, and the malignancy which so often spots the pretensions of higher virtue. The church quarrel and the killing of the visiting evangelist which grew out of it was in a primitive and sparcely settled community. A majority of the people who live there no doubt are God-fearing, but it is quite possible that many of them have mistaken quietism for right living. They think of restriction as virtuous. In part this is timidity and in part lack of opportunity. They fear the city because they do not understand it. They legislate against it because it stands for them as an exciting and therefore wicked phenomenon.

Several comparatively new influences are breaking into these low level areas—the paved road, the automobile, radio and the moving picture, giving the people something to think about other than their loves, fears and hates. These influences have been put to work none too soon. The oldest stock in the country, North and South, has been displaying all too strikingly the evils of decadence in the less settled sections.

INDIANAPOLIS, IND.
NEWS

APR 23 1931

MURDER IN AMERICA

For a number of years the homicide rate in the United States has been greater than that of any nation of comparable standards of civilization. According to figures recently compiled by Frederick L. Hoffman for the Spectator, an insurance trade publication, the situation is becoming worse instead of better. The rate rose from 8.5 for each 100,000 of population in 1929 to 10.9 last year. It has been getting worse for a long time. The rate has doubled since 1900. The only possible conclusion from the figures is that the homicide rate is lamentable, and the people seem to be powerless to do much about it.

In Memphis, 150 persons were killed last year, and 122 of them were Negroes. This condition has prevailed for some time. Throughout the south there is a great preponderance of Negro killings. One explanation for this is that the rights of Negroes at law are not greatly respected, with the result that they feel that direct action is their most effective method of righting a personal wrong. The Negroes are, of course, Americans, but in some places they are not sufficiently established in their civil rights to feel the restraints which inhibit a population secure in a tradition of legal recourse.

The theory that many homicides listed in the United States really belong in part to Europe has been ably maintained. In American communities having colonies of foreigners, it has been found that not a few homicides are due to old world feuds brought to this country by immigrants. Italians and Chinese secret societies are not influenced much by American law. Yet cities so predominantly American as Indianapolis and Des Moines continue to build up homicide rates more than ten times as great as England and Wales.

The weakness is, however, nationwide. Mr. Hoffman explains as follows:

For all essential purposes, our lamentable position regarding crimes of violence continues about the same. Murder has become so common in this country that even the most atrocious crimes attract but passing attention. It is a very serious error to assume that these crimes of violence against the person are chiefly of gangster origin. Murders occur throughout the country from the largest cities to the smallest rural settlements—affecting all classes, old and young, rich and poor, white and black, employed and unemployed.

To put the blame on courts and peace officers is common, but superficial. Both are weak because they are products of a political system that gives little encouragement to ability and merit in either branch of the government. As long as the people maintain a system of criminal detection and justice which lags, falters and errs so often, the homicide rate will be offensive to the ideals of their civilization.

HIGH RATES OF HOMICIDE.

Metropolitan newspapers over the country are commenting interestingly upon a recent comparative showing of homicide records in the larger communities of the nation.

Constitution

The discussion circles around the fact that in the city of Milwaukee with a population of 578,249 people of much mixed national derivations there were last year only nine murders, "all cleared up by the police, and not one of them a gang murder."

5-13-31

In contrast the figures compiled by Dr. Frederick Hoffman, of Newark, who is the most eminent life actuary in the world, show Memphis with more murders per 100,000 in 1930 than any other known city in Christendom, with Atlanta "a close second." They had rates four times greater than Chicago, popularly thought to be the "bleeding heart" of American criminality. The rate for 31 leading cities in 1930 was 10.9 per 100,000 inhabitants, but in 12 larger cities of the south, four of them in Georgia, the rates were more than 30 per 100,000. The strange fact appears that murders are increasing faster in ratios in the smaller cities than in the big ones over the country.

The alarming statement accompanies the review that "murder is still on the increase, while the number of convictions steadily diminishes." Experts in criminal research are puzzled to find the causes for those two demonstrated facts. Their common and best explanation is that murder is among the safest of American adventures because of the notorious lack of efficiency and integrity in our police and detective forces and the slow grind of the courts.

We have hardly anywhere in America such forces of skill and surety as they have in England, France and Germany, as comparative records abundantly prove.

That is why a general public interest is centering upon the system in Milwaukee that shows so singular a record of suppressing crime and reducing the ratio of murders in that city. The Philadelphia Public Ledger finds the explanation to be in these facts:

Milwaukee is a city that has an independent police force, organized to protect life and property, and free from interference by politicians. The chief of police is appointed by the mayor, but the mayor can not remove him. The chief picks his own force for efficiency, and political influence neither gets them jobs nor is able to have them dismissed. The city has had but two chiefs of police in 46 years. Milwaukee has no laws against crime and criminals that are very different from those of other cities. The secret of Milwaukee's fine record lies in the fact that the laws are enforced fearlessly and promptly. Gangs are not allowed to form. Combinations in crime are broken up at the start. There are no professional murderers in Milwaukee. It is a city of

578,249 population, and there were only nine murders there last year, all cleared up by the police, and not one of them a gang murder. There has only been one unpunished murder in the city in 10 years. Holdups and burglaries are rare in comparison with other large cities.

There is a showing that ought to be taken into serious consideration by the citizens of Atlanta, now resting under the stigma of having the second highest homicide record among all the cities of the nation. That record can be deeply reduced by public opinion forcing such a possible reform of our police administration as will put Atlanta on a par with Milwaukee and assure the greatest security to the lives of our people.

It pays large dividends to have life and property upon a high plane of safety in a city. In the last 10 years insurance rates against theft and burglary in New York, New Orleans and Chicago have increased 10 per cent; in Los Angeles 26 per cent, and in Detroit 32 per cent, but in Milwaukee they have been reduced 25 per cent. It pays to b securely policed.

ASHEVILLE, N. C.
CITIZEN

MAY 27 1931

Youth And Crime

According to the New York Herald Tribune, nearly four-fifths of the criminals convicted for felonies in Brooklyn last year were young men under thirty years of age, about half of them being boys not yet twenty-one. Furthermore, the figures are said to illustrate, not a static situation, but a marked trend.

"The underworld's recruits, this means, are not broken, disillusioned and desperate men who turn from failure and destitution to crime, but are youngsters deliberately selecting a career," comments the Herald Tribune, adding: "Something in the community life of the great city is making crime as a career increasingly attractive to boys—and girls also—in their most impressionable, imagainative and aspiring years."

There are two assumptions in the conclusions set forth by the Herald Tribune both of which are, we think, hasty. One is that the terrible increase in criminality on the part of youth is the product peculiarly of conditions in the great city. Unfortunately there is too much evidence that the same trend exists likewise in communities still relatively rural in their environment.

On the same day that the Herald Tribune was expressing the views just quoted, for example, the Anderson, South Carolina, Independent, was lamenting the fact that, although there are no negroes in the Anderson county jail at the present time, twenty whites are incaracerated there and that the records show that more whites than negroes are being regularly charged with thefts. "That is not a local condition," says the Anderson newspaper. "It is true very generally throughout the South." We are afraid that it is; yet a generation ago it was a rare thing in this part of the country for a young white man to be charged with stealing.

It cannot be established, we fear, that the trend toward criminality on the part of the young is confined to the great cities.

The other assumption of the Herald Tribune is that crime as a career is being deliberately adopted by many young men and young women because it is attractive in itself to them. We question that as too sweeping. It is true enough, as the Herald Tribune contends, that a review of those who now come up every morning in the police line-up is perplexing, because so many of them do not conform in appearance to the accepted tradition. They do not look, many of them, to be the kind of boys who would have gone wrong. But it remains to be determined how many of them went wrong deliberately and because they were attracted to criminality. It is at least possible that most of them drifted into criminality rather than adopted it deliberately.

In either event, however, the fundamental problem remains. Crime is claiming, for whatever reasons and by whatever methods, more and more of the youth of the land. The prisons have never been so overcrowded as they are today, and every one knows that at that only a fraction of those who have rendered themselves eligible to prison have found their way there. What is the root of the trouble? How can it be cured? The fact that it exists in all parts of the land suggests that it is deep and general. Such explanations as that dwelt upon by the Herald Tribune, and by the police of some of the cities, namely, the craze for notoriety and excitement, may have their part in the picture, but only a part. The widespread desire for quick and easy money must also be taken into account. But no one theory will cover the situation. The trend is an indictment of our social system. The presence of youth in the docks is symptomatic of deeper evils responsible for youth's being there.

What are these deeper evils? To what extent and by what processes can they be remedied? These are the real questions with which we are confronted by such appalling statistics as those to which the Herald Tribune points.

Death Penalty Revived.

Effective July 1, the death penalty for murder has been restored in Italy. Heretofore only political offenses against the state and its chiefs have been thus punished. But experience has shown, to the satisfaction of those who have made a study of crime and punishment under Mussolini, that nothing short of death as the extreme penalty will have a sufficiently deterring effect.

Capital punishment, except for political offenses, was abolished 41 years ago in Italy. Her severest penalty since that time has been life imprisonment. In practice this imprisonment, which in extreme cases amounts to solitary confinement, has been about as horrible as the human mind can well conceive. It has been said that a large proportion of prisoners condemned to this life time of silence and solitude soon lose their reason, while those who do not pass into that merciful twilight endure an agony unspeakable.

Italy was the first of the European nations to abolish capital punishment, and the minister of justice, in his report to the king, which accompanied the new penal code, said, "The legislative history of capital punishment in European nations is only a series of successive abolitions and successive reinstatements."

Aside from the restoration of capital punishment, the new code presents many features that are of interest to the student of sociology. Under the heading "Homicides for Reasons of Honor," an article imposes a penalty of only three to seven years for any person who kills wife, husband, daughter or sister for unfaithfulness. The same penalty applies for killing a lover.

The penalty for killing in a duel is from one to five years. Whoever publicly offends anyone who has not challenged to a duel or has not accepted a challenge is punished with imprisonment up to six months and fined in amounts ranging from $25 to $250.

Criminal attempts against the king, queen, crown prince and Premier Mussolini are punishable with death. In addition, whoever offends the honor or prestige of Mussolini is punished with imprisonment from one to five years.

The criminal code is the result of six years of intensive study. The return to capital punishment in a country which had practically abandoned it for more than 40 years will probably have a sobering effect on the well defined movement in this country today of abolishing the death penalty.

This is not to say that the Italians are correct in the conclusions they have drawn, or that the conclusions, if correct, would apply to other countries with equal force. We are bound to look the facts fully in the face that in this country it is becoming more and more difficult to impose the death penalty and make it stick. If the public could feel assured that pardoning boards would not go to the extreme in mitigating life penalties the tendency towards making that the extreme punishment, instead of death, would gain a still greater impetus.

OUR HOMICIDE RATE SIX TIMES CANADA'S

But Mortality From All Causes Is 9 Per Cent Higher in the Dominion.

Although wage earners in the United States stand a much greater chance of becoming murder or manslaughter victims than Canadian wage earners, the death rate from all causes combined is about 9 per cent higher among industrial classes in Canada than it is in this country, according to conclusions announced yesterday by statisticians of the Metropolitan Life Insurance Company.

Deaths from violence of all kinds are far less frequent in Canada, even in proportion to the population, it is declared, and even the automobile mortality rate, which nearly doubled here between 1925 and 1929, showed a substantial decrease last year in Canada.

The company's statisticians, basing their findings on the mortality of industrial policy holders, said that the high death rates in Quebec, New Brunswick and Nova Scotia—especially in Quebec—were responsible for the generally higher Canadian death rate.

"Suicides show a much lower death rate among American wage earners, although the mortality from this cause rose quite sharply in each country in 1930," company officials said.

"The death rates for definite types of accidents, like burns, drownings, falls, machinery accidents, railroad accidents, and more especially automobile fatalities, run, year after year, well below the figures for this country.

"The greatest contrast between the mortality statistics of the United States and Canada is found in the figures for homicides. Murders and manslaughters are relatively rare occurrences in Canada. During six years only thirty-nine homicidal deaths were recorded among Canadian wage earners insured in the Metropolitan. The death rate ran from a low point of 0.2 per 100,000 insured lives to a maximum of 0.8."

It is shown that during the same period in the United States the homicide death rate ranged from a minimum of 7.0 per 100,000 insured lives to a maximum of 7.7, while 7,368 deaths were charged to this cause. Excluding the mortality experience of Negroes insured in the Metropolitan, the homicide death rate among the American wage earners is still approximately six times as great as among the Canadians.

Crime -1931. General

OUR HERITAGE OF LAWLESSNESS

Times magazine 5-17-31 new york, n.y.

Professor Dodd, Delving Into America's Past, Points Out Conspicuous Examples of General Disregard of the Law, for Which, He Holds, the People Today Are Paying a Heavy Price

The widespread lawlessness in the United States is an outstanding problem. What are the deeper sources of this lawlessness? Does this rebellious attitude spring mainly out of present conditions, out of our environment—that is, is the cause largely external? Or is the reason largely internal, an American trait coming down from our forefathers? In the following article, the author, who is Professor of American History at the University of Chicago, takes the latter view—that present lawlessness has its roots deep in the past.

By WILLIAM E. DODD

IN the Spring of 1929 the President of the United States delivered in New York an address in which he lamented the amazing drift of the country toward a state of lawlessness unmatched in modern history. About the same time he appointed a commission to study the causes of the condition which justly alarmed him. Some of the ablest men of both parties and no party at all accepted the responsibility of making a diagnosis.

After two years of investigation the commission made its report. Its findings are before the world, but there is little agreement in the report itself or in the minds of those who made it, either as to basic causes or possible remedies. Perhaps one may be excused if one makes a brief survey of the habits of the people over a longer period of time and ventures somewhat more of the difficulties with which Presidents and courts must honestly contend if the United States is to escape even a worse state of things than now prevails.

* * *

THE subjugation of 3,000,000 square miles of forest and river and mine is no small matter in history. To subdue such a vast territory and overcome so many of the elements of nature outside the circle of disciplined society might have seemed impossible but for the cruel and driving influences which put English emigrants upon the hostile Atlantic. While every Colony began as an elaborate and planned adventure with definite rules and laws, none of these beginnings ran true to pattern.

Out of natural fear for their own safety, every community enacted rigid rules for the just treatment of the natives, and the British Government entered into the most solemn engagements that, while water flowed down hill, no lands or hunting rights should be taken without formal consent and due compensation. But men released from the long subordination to European feudalism and accustomed to think land the beginning and the end of all good things, could not be restrained, even in the face of horrible massacres, from immediate violation of all rules and treaties enacted by themselves or promulgated from the other side of the Atlantic.

Colonel John Washington, first of that great name in American history, violated in 1673 not only the most solemn engagement of his people, but ignored a flag of truce and murdered a group of Indian prisoners not far from the site of the present capital of the United States; and the first of the George Masons, as well as the first of the great Brent family, played the rôles of ruthless frontiersmen on the dark and bloody ground which lay between the Rappahannock and the Susquehanna Rivers. Like situations and like characters marked the rapid progress of the Massachusetts Bay people westward across the Connecticut and the Hudson River valleys. And the leaders of the long frontier from Albany to Augusta were in 1776 and remained for a hundred years the models of American social and economic behavior.

This is not to say there were not cruel provocations from the forests and oppressive economic conditions in the older settlements. It is to say that lawlessness was a habit of "the great, the wise and the good" who put the French out of North America and slowly exterminated the aborigines of the continent. And there were other habit-forming developments that paralleled the conquest of the wilderness.

The British Government enacted the most stringent trade regulations designed to control the commerce of the vast no man's region, the South Atlantic Ocean. Not a Colony, north or south, but violated these laws regularly and purposely for a whole century before the birth of the United States. In South Carolina, in Maryland and in Massachusetts it was a common saying in 1700, as in 1776, that Colonial juries would not convict men who ignored maritime law; and all the world knew that the President of the Continental Congress just before the outbreak of the Revolution was a notorious smuggler of goods into Boston.

Nor was it simply lawlessness in the great wilderness or on the boundless ocean. For a century the poor of Europe were brought to the American Colonies where they were bound to serve long terms of semi-slavery; but the more ambitious and enterprising of these were always breaking their contracts, running away to the great woods or eluding their angry masters in the wide stretches of barren or swamp lands between the towns or plantations.

On a terrain as wide as North America or on an ocean over which no naval patrol was possible there could be no orderly and disciplined behavior; nor was Europe, the home of all the settlers, much more orderly. Thus one of the basic inheritances of nearly all groups which composed the United States of Washington and Jefferson was lawlessness.

* * *

FROM Andrew Jackson to Abraham Lincoln there was little improvement in the attitude of the people toward law. The Federal anti-slave trade act of 1807, intended to make effective one of the great agreements of the national Constitution, was openly flaunted from the day of its passage until it became obsolete in 1861. Individuals, ship-owners and even States ignored the law.

Members of Cabinets whose business it was to punish importers of African slaves seem to have been chosen with a view to non-enforcement; attorneys of the United States in Providence, New York, Charleston and New Orleans gave slight attention to the most brazen violations of the law; and many times the courts of the nation delayed action, when prosecutions were undertaken, and applied technicalities until ship captains who had brought in hundreds of Africans, and local purchasers who bought their chattels, had time to escape without punishment. It was commonly estimated that as many as 10,000 slaves (*Continued on Page 20*) were brought into the country every year between 1807 and the outbreak of the Civil War; and, although it was a capital offense to import a Negro, a poor New Yorker first felt the draw of hemp for this crime in 1862.

Here was a simple and a highly important Federal statute, a law which, enforced, might easily have prevented the war between the States. Powerful men in the South were interested in its violation. They managed to control Governorships, to dominate Congressional delegations and to guide Federal courts and Cabinets. Although they talked solemnly of the Constitution of the United States, neither they nor their understudies in State Legislatures and State courts made any pretense of observing a law pressed upon the national statute book by no less a Southerner than Thomas Jefferson. A long inheritance from the past as well as a dominating interest in the economic life of the time were the active causes of this fatal contempt of the common good—causes not unfamiliar to those who study even a little the history of their country.

This violation of a great Federal statute over a period of fifty years was one of the great reasons for the protesting violations of other Federal laws enacted by large majorities of both houses of Congress: the statute of 1793 for the return of fugitive slaves from Northern States and the later and more solemn act of 1850 which had the support of courts and States alike. There was an epidemic of lawlessness in the North which fully matched the contempt of law in the South. To this day the most pious and socially minded people of the Eastern and Midwestern States, avowed pacifists, boast privately and before public audiences that their fathers and grandfathers joined the mobs of the 1850s and stayed up of nights to man the underground railroads in order that national laws might be made null and void. These same people complain bitterly of the wholesale violation of the Volstead act. It is a habit of lawlessness and a false notion that contempt of unliked statutes is the best means of their repeal.

This policy on the part of powerful minorities of the North and the South increased the exacerbation of the public mind until nothing less than the wholesale lawlessness of a great war annulled the statutes in question. It was the most costly and the most terrible solution of the debated problems. Men need now to take note afresh of their past lest similar contempt of law teach the masses of helpless folk the impotence of constitutions, State and national, and lead them, on some evil day, to take the fateful road to revolution.

* * *

OMITTING the wholesale crimes of reconstruction in the South and scandalous crimes in all the great cities of the North, for which no law or even constitutional amendment was a remedy, let us look for a moment at the period which should have been peaceful and orderly: the era which followed the cloture of the long debate about slavery and reconstruction in 1876.

5-17-31

The steady decline of the actual returns of farm life (omitting, of course, the unearned increment of land values in a growing country) and the steady and revolutionary disappearance of small, self-sufficing manufactories between 1870 and 1890 increased the fears and the anxieties of the masses until there was imminent peril of a popular upheaval which approached the proportions of revolution.

To force social control of railway corporations, the Interstate Commerce Commission had been organized in 1887. To limit the powers of unprecedented industrial corporations, the "best minds" of 1890 enacted the anti-trust law of that year. Like the anti-slave trade law of 1807, it was the result of many fears and much study; it was certainly no hasty measure and nearly all the greater leaders of the time voted for it.

Unlike the situation of 1807, there were few if any States ready and willing to offer resistance although the courts, North and South, were notoriously wanting in social interest and comprehension. It was the business of Presidents and Attorneys General to enforce the law and confine the powers of corporations within narrow bounds, on the simple Jeffersonian principle that sharks are dangerous to little fish in any social ocean. It was not a matter of good trusts and bad trusts, as Theodore Roosevelt glibly remarked later; it was a question of maintaining the democratic character of the old United States. What happened?

The law was not enforced. The first occasion on which its principles were seriously applied was that of the great Chicago railway strike of 1894; and they were then twisted so as to apply as a veto to workingmen who sought to improve the terms and conditions of labor! I am not here taking sides between labor and capital in the age-long struggle for the privilege of either or both to exploit their unorganized fellows; I am merely pointing to the second great era of economic lawlessness in the United States. Richard Olney and his chief, Grover Cleveland, have been rated high as public servants because they ruthlessly applied a law designed to limit the power of organized capital to break the will and defeat the aspirations of organized workingmen.

From 1893 until the day when Woodrow Wilson modified the anti-trust law so that good trusts might flourish, good labor organizations might be exempt from prosecut' and even farmers might combine, if they could, to mulct the unorganized elements of the public there had been as little enforcement of the act of 1890 as of that of 1807. As in the case of the Southerners, so later in that of the Northern industrialists: the powerful talked daily of the sacred Constitution and yet daily violated a law enacted in the spirit and according to the letter of that Constitution.

Another instance of the beneficiaries of a great interest assuming superiority to law; and the effect of their lawlessness has been to change the character of the country and to invite almost any lawlessness that gangsters may find it profitable to perpetrate. If the great may ignore social restraint and positive law, why may not lesser folk do likewise or worse? It is not here a question of the wisdom of the fathers of 1890. Nobody is all wise. It is a question whether the violation of law is socially safe, or whether any great country may permit through decades and half centuries the contempt of important statutes without paying the cost.

* * *

THE United States is now paying the cost. In any great city of the country there are today more violent deaths in a year than there are in the whole of Great Britain with a population of 50,000,000. Unthinking and unreading people attribute these deaths and the accompanying robberies to the enactment of the Eighteenth Amendment and its enforcing law of 1919. There were many streams of tendency and behavior already focusing upon the present social order before the fanatical drys, deeply unconscious of history, and their equally fanatical opponents, no better informed, set up their famous reform measures of 1918-19.

It is an acknowledged fact that the Eighteenth Amendment carried in all but five or six States by large and lawful majorities, which was less true of the law of 1890. There was no question of the constitutional proprieties in the case, much as some far-seeing men warned against the risks involved; and it was as much the constitutional duty of every citizen to obey the amendment and the Volstead act as it was the duty of slave-owners to leave the savage Africans to their native jungles, or the masters of trusts to give up their gigantic combinations.

But where both slave-holders and directors of corporations, over periods of many years, treated law with contempt, it was hardly to be expected that ex-barkeepers or high society leaders would observe less important measures, most difficult to enforce. It was an invitation to all and sundry, to those who guided city politics over the counters of saloons and to those who loved their drink more than they loved either their old or their new fatherland, to also in the wide stretches of the country where lawlessness has been a matter of strict statistics and where men behave as they do in matters of private conduct. It follows, then, that Mr. Hoover's political parties to pay more attention to make more than one to the consequences of their h in New York; that his hope- printed pages and their calculated commissioners need to look resolutions. There is such a thing closely into the records of the as playing too long with fire.

The Shadow of the Frontier Still Rests Upon America

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But where both slave-holders and directors of corporations, over periods of many years, treated law with contempt, it was hardly to be expected that ex-barkeepers or high society leaders would observe less important measures, most difficult to enforce. It was an invitation to all and sundry, to those who guided city politics over the counters of saloons and to those who loved their drink more than they loved either their old or their new fatherland, to flaunt the law. With all the tendencies I have described above and all the opportunities, which even the simple must have noted, what else might men have expected of these great United States?

There is now an epidemic of crime, above all in the cities where it is most easy to make high returns from violence and murder, but also in the wide stretches of the country where lawlessness has never been a matter of strict statistics and where men behave as they will in matters of private conduct. It follows, then, that Mr. Hoover needs to make more than one speech in New York; that his hopeful commissioners need to look more closely into the records of the victims of lawlessness. This is perhaps a dark picture. It is no darker than the facts, and it is time for great newspapers and greater political parties to pay more attention to the consequences of their printed pages and their calculated resolutions. There is such a thing as playing too long with fire.

Crime - 1931

General

A THING OF EVIL

Whether you approve of gambling or not, it is an irrefutabl fact that this practice has stultied the minds of our people. It has weakened their group strength, it has broken the morale of their civic institutions and now we find ourselves in consternation, chagrin and dismay.

As we witness a much abused and oppressed people who would shatter their fetters and demand unconditional recognition from civilization, as we see them guilelessly allowing themselves to become enmeshed in the serpentine coils of gambling, we cannot help but shudder. It requires no great imagination to picture the ruined and wrecked structure of human clay which could have been moulded into men of power and men of might, who might have defeated the invisible empire of enemies and brought down the spontaneous plaudits of the world.

If the black man of America would hestitate and pause during the shuffle of the cards and the clatter of the dice, they would realize that fifteen million white Europeans are seeking to grapple in America for their jobs and bread. They would realize that anti-black propaganda is being scattered indiscriminately throughout the world. They would realize that in the northern states of America that they stand "on trial" before the cynical and prejudiced Caucasian. It follows that they must make good and they must discharge from their personal, private and public environments each and every inuence which will retard and disintegrate.

Gambling is not peculiar to race or creed. Some form or specie of it exists wherever man is found. It is neither characteristic of the rich nor the poor. It is the inherent evil streak in humanity which devitalizes and destroys Almost every transaction in the affairs of life involves the chance element Every investment has associated with it the chance of either winning or losing. When energy has the latitude to lessen the degree of chance and make success reasonably certain, then society condones the chance element, but where the chances for winning or losing are equal, when energy and intelligence play little part and some caprice of fate or luck is left to control the preciousgoldof life. then society stands aghast and both law and religion register their dissatisfaction.

. . . . . .

In Chicago—the Elysian fields of those who seek refuge from burnings, lynchings and fratricide—where the philosophy ad psychology of the new age seeks foothold one would expect to find those pilgrims from the haunted south guarded, shielded and protected. One would also expect to see those who were born here engaged in the great task of building up their struggling race. One would expect to find seriousness, earnestness and morality in the majority. Yet one finds that the communities populated to large extents by colored people are the very cesspools of vice and infamy. You see unearned dollars changing hands and gambling conducted notoriously unmolested, protected by political systems which reflect on the administration, the commonwealth and the people. Every public official disgorges the blame, yet everyone knows "that the Monte Carlo of the south side" is the product of a crooked, unholy system which makes Chicago the "devil town" of America.

We do not need the intuitive or deductive ability of a criminologist to know that the broken, hungry, outcast gambler is easily converted into the bloodthirsty, merciless highwayman and prowling, reckless footpad. The gambling tables with their hypnotic green baize drive a red, ferocious danger stare into the eyes of the loser. The laborer loses both job and hope. He becomes driftwood on the sea of iniquity and his fellow worker is unreasonably forced to suffer for his delinquency. The professional man who has lost maltreats and neglects his trusting clients. Unkempt children with wan faces and emaciated bodies give silent but terrible rebuke to the sins of their fathers. The whole system of our civic life has become infected with this contagion of gambling which sweeps like wild fire through the ranks of our much battered army.

. . . . . .

In the name of civilization, law and order, we implore the influences of goodness and morality to free us from this terrible institution of gambling which fattens profiteer as he mercilessly snatches his toll from the trembling hands fingers of the wretched. The young men of Chicago, if they would be saved must link themselves with the inevitable forces which will start the next crusade of gambling in our community. Let us dethrone the devil god of gambling whose political throne can be found somewhere in Chicago's Southside.

JOURNAL

Middletown, O.

MAY 4 1931

APPEAL IGNORED

The president of Portugal has appealed to the President of the United States for executive clemency on behalf of a Portuguese citizen, who has been tried, convicted and condemned to death by a Massachusetts court for a murder he committed in that state. The customary thing done with such communications is to refer them to the state department. Obviously the President could not meddle with the decrees of competent courts in the states, without clearly overstepping the constitutional limitations of his prerogatives.

The federal and state governments do not enjoy "concurrent power" to punish the general run of felonies. The state and federal judicial systems are separate and distinct, with well defined borders around their respective spheres of action; and any attempt by the President of the United States to modify a sentence imposed in a state court, would be as strongly resented as an attempt by the governor of a state to interfere with a case in a federal court would be. This corollary to the balance of power between state and national governments is well understood in this country. Apparently it is not so well understood abroad. At any rate it has been ignored by foreign governments, when they have wanted the federal government in Washington to bring pressure on states for the payment of debts or for other purposes.

A generation or so ago Italy pressed the government hard in a case in New Orleans, where a mob had taken a number of Sicilians from jail and lynched them. California got us into trouble with both China and Japan over oriental immigration. The government had to send troops into San Francisco to put down anti-Chinese riots; and later it had to interfere to prevent the persecution of Japanese, although peaceably. Where a condition of lawlessness exists, which costs the lives of aliens, a foreign government, which cannot deal directly with the states, would seem to be justified in holding the government of the United States responsible, as we are justified in holding the government of Nicaragua responsible for the murder of Americans by bandits in that country; but where an alien is condemned to death by due process of law, in a state, the president could properly do no more than forward any protest or appeal to the governor of the state concerned, without comment.

NORFOLK, VA.
VIRGINIAN PILOT

AUG 31 1931

Astounding Figures

From the Asheville Citizen.

The most astounding figures given in the final report of the Wickersham Commission are those segregating Negroes from native whites in the crime statistics of the cities which the agents of the commission studied.

Out of every 10,000 Negroes in Chicago in 1930, the record shows that 3,975 were arrested as against 555 arrests per 10,000 native whites and 385 for the foreign born.

In St. Louis 5,259 out of every 10,000 Negroes, or more than half, were arrested; in Newark 2,887 out of every 10,000; in Detroit 923 out of every 10,000; in Kansas City 911 and in Seattle 1,465.

Other of the 31 cities mentioned in the report show substantially the same result, says the New York Herald Tribune.

St. Louis arrested only 96 native whites and 97 foreign-born whites but 5,259 Negroes. And Detroit where 923 Negroes.

In proportion to population, for every white person, native or foreign-born, arrested in Detroit, five Negroes were arrested. On the same basis, Chicago arrested three Negroes for every white person.

These figures are, as we have suggested, astonishing. They are, as we

Crime - 1931

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If the black man of America would hestitate and pause during the shuffle of the cards and the clatter of the dice, they would realize that fifteen million white Europeans are seeking to grapple in America for their jobs and bread. They would realize that anti-black propaganda is being scattered indiscriminately throughout the world. They would realize that in the northern states of America that they stand "on trial" before the cynical and prejudiced Caucasian. It follows that they must make good and they must discharge from their personal, private and public environments each and every inuence which will retard and disintegrate.

Gambling is not peculiar to race or creed. Some form or specie of it exists wherever man is found. It is neither characteristic of the rich nor the poor. It is the inherent evil streak in humanity which devitalizes and destroys Almost every transaction in the affairs of life involves the chance element Every investment has associated with it the chance of either winning or losing. When energy has the latitude to lessen the degree of chance and make success reasonably certain, then society condones the chance element, but where the chances for winning or losing are equal, when energy and intelligence play little part and some caprice of fate or luck is left to control the preciousgoldof life. then society stands aghast and both law and religion register their dissatisfaction.

In Chicago—the Elysian fields of those who seek refuge from burnings, lynchings and fratricide—whereer the philosophy ad psychology of the new age seeks foothold one would expect to find those pilgrims from the haunted south guarded, shielded and protected. Oneof would also expect to see those who were born here engaged in the great task of building up their struggling race. One would expect to find seriousness, earnestness and morality in the majority. Yet one finds that the communities populated to large extents by colored people are the very cesspools of vice and infamy. You see unearned dollars changing hands and gambling conducted notoriously unmolested, protected by political systems which reflect on the administration, the commonwealth and the people. Every public official disgorges the blame, yet everyone knows "that the Monte Carlo of the south side" is the product of a crooked, unholy system which makes Chicago the "devil town" of America.

We do not need the intuitive or deductive ability of a criminologist to know that the broken, hungry, outcast gambler is easily converted into the bloodthirsty, merciless highwayman and prowling, reckless footpad. The gambling tables with their hypnotic green baize drive a red, ferocious danger stare into the eyes of the loser. The laborer loses both job and hope. He becomes driftwood on the sea of iniquity and his fellow worker is unreasonably forced to suffer for his delinquency. The professional man who has lost maltreats and neglects his trusting clients. Unkempt children with wan faces and emaciated bodies give silent but terrible rebuke to the sins of their fathers. The whole system of our civic life has become infected with this contagion of gambling which sweeps like wild fire through the ranks of our much battered army.

. . . . . .

In the name of civilization, law and order, we implore the influences of goodness and morality to free us from this terrible institution of gambling which fattens profiteer as he mercilessly snatches his toll from the trembling hands fingers of the wretched. The young men of Chicago, if they would be saved must link themselves with the inevitable forces which will start the next crusade of gambling in our community. Let us dethrone the devil god of gambling whose political throne can be found somewhere in Chicago's Southside.

JOURNAL

Middletown, O.

MAY 4 1931

APPEAL IGNORED

The president of Portugal has appealed to the President of the United States for executive clemency on behalf of a Portuguese citizen, who has been tried, convicted and condemned to death by a Massachusetts court for a murder he committed in that state. The customary thing done with such communications is to refer them to the state department. Obviously the President could not meddle with the decrees of competent courts in the states, without clearly overstepping the constitutional limitations of his prerogatives.

The federal and state governments do not enjoy "concurrent power" to punish the general run of felonies. The state and federal judicial systems are separate and distinct, with well defined borders around their respective spheres of action; and any attempt by the President of the United States to modify a sentence imposed in a state court, would be as strongly resented as an attempt by the governor of a state to interfere with a case in a federal court would be. This corollary to the balance of power between state and national governments is well understood in this country. Apparently it is not so well understood abroad. At any rate it has been ignored by foreign governments, when they have wanted the federal government in Washington to bring pressure on states for the payment of debts or for other purposes.

A generation or so ago Italy pressed the government hard in a case in New Orleans, where a mob had taken a number of Sicilians from jail and lynched them. California got us into trouble with both China and Japan over oriental immigration. The government had to send troops into San Francisco to put down anti-Chinese riots; and later it had to interfere to prevent the persecution of Japanese, although peaceably. Where a condition of lawlessness exists, which costs the lives of aliens, a foreign government, which cannot deal directly with the states, would seem to be justified in holding the government of the United States responsible, as we are justified in holding the government of Nicaragua responsible for the murder of Americans by bandits in that country; but where an alien is condemned to death by due process of law, in a state, the president could properly do no more than forward any protest or appeal to the governor of the state concerned, without comment.

NORFOLK, VA.
VIRGINIAN PILOT

AUG 31 1931

Astounding Figures

From the Asheville Citizen.

The most astounding figures given in the final report of the Wickersham Commission are those segregating Negroes from native whites in the crime statistics of the cities which the agents of the commission studied.

Out of every 10,000 Negroes in Chicago in 1930, the record shows that 3,975 were arrested as against 555 arrests per 10,000 native whites and 385 for the foreign born.

In St. Louis 5,259 out of every 10,000 Negroes, or more than half, were arrested; in Newark 2,887 out of every 10,000; in Detroit 923 out of every 10,000; in Kansas City 911 and in Seattle 1,465.

Other of the 31 cities mentioned in the report show substantially the same result, says the New York Herald Tribune.

St. Louis arrested only 96 native whites and 97 foreign-born whites but 5,259 Negroes. And Detroit where 923 Negroes.

In proportion to population, for every white person, native or foreign-born, arrested in Detroit, five Negroes were arrested. On the same basis, Chicago arrested three Negroes for every white person.

These figures are, as we have suggested, astonishing. They are, as we

understand it, figures for last year. They relate to Negroes who have gone from the South to the cities covered in the report expecting to find in those cities havens of refuge and opportunities such as they have not experienced in the past.

Yet in Chicago the number of arrests of Negroes approximated four out of every ten of their population; Chicago, home of the Chicago Tribune, which for many years has never missed an opportnity to scold the South for not giving its colored population a fairer chance.

The figures are astonishing further because at the very time 923 Negroes out of every 10,000 were being arrested in Detroit, and 2,877 out of every 10,000 in Newark, and so on for the other cities named above, it has been a matter of comment in the Southern States that fewer and fewer Negroes were being brought into court.

It is true that this comment has had to do mainly with the higher courts and more serious charges. But we would be even more amazed than we are at the recirds cited by the Wickersham Commission if a study of the situation in the South should show that Negro arrests in this section compared with these Northern communities.

No comment is made by the commission on this part of its report but it opens up still another field that invites exploration and study. We shall be very much interested in particular to see what the Chicago Tribune has to say in this connection.

COLUMBIA, S. C.
RECORD

SEP 6 1931

THE EVIL WHITE MEN DO.

In Northern cities, to which the migration movement has carried negroes by the thousands and hundreds of thousands since 1910, crime among the negroes is becoming an alarming problem.

Of every 10,000 negroes in Chicago, the Wickersham commission reports, 3,975 were arrested in 1930. Of every 10,000 whites only 655 were arrested. In St. Louis 5,259 of every 10,000 negroes, more than half, were arrested; 2.877 in Newark; 1,465 in Seattle; 923 in Detroit; 911 in Kansas City.

White arrests in every instance lagged behind. In Cincinnati for instance, during the period from January 1 to June 30, 1929, the negroes, forming only 8 per cent of the population, were responsible for 43 per cent of all the arrests for misdemeanors.

The prima facie preponderance of crime among the negroes in the North shown by these figures and by almost all other crime studies, may be and probably is more apparent than real. Even in the North the negro is less protected by "political pull," less able to escape both arrest and punishment.

In the South however the trend is the other way. Crime tends to become more and more an affair of the whites.

"There used to be a time when it was a rare thing to find a white man in the criminal courts," Judge C. C. Featherstone, of Greenwood, told the Richland grand jury the other day. "White people are now charged with stealing and all sorts of infamous offenses. If the white people would behave the negroes would also."

Records of cases heard by Richland juries for the years 1929 and 1930, Judge Featherstone said, showed that of 241 convictions 127, more than half, were of whites.

"Cases in 1930," he pointed out, "showed an increase over the number in 1929.

"Much has been said of the reasons it cannot be stopped. The good people can enforce the laws, but the attitude of good people is toward crime. They are not willing to turn their hands and aid the officers.

"If the people helped in enforcement, if the juries convicted a man when he was guilty, if there was swift and accurate justice, then the crime wave would stop.

"When the good white people want the laws enforced they will be enforced."

And the truth is the people of South Carolina do not believe in law enforcement. Forty-eight prohibition cases were heard at the 1930 terms of the circuit courts and a safe guess is that the prohibition law must be violated in 40 times 48 instances every day in Richland county. Of 14 murder cases tried one ended in an acquittal, one a verdict of guilty and the rest with verdicts of manslaughter. Killing a man has become hardly more than a misdemeanor. A pint of liquor is a good excuse for it. And there are still pints of liquor to be had and jails filled to the bursting and still murders.

What are the "good white people" going to do about it? What do the "good white people" care—as long as they can have their drinks when they want them and drive their cars 65 miles an hour if the spirit moves them to it?

ERIE, PA.
TIMES

SEP 4 1931

More About Crime and Nativity

THE conclusions of another group of investigators for the Wickersham commission in regard to the racial factor in crime call for some cautionary comment. Statistics can be and indeed usually are interpreted according to some bias, deliberate or unconscious. In this case the conclusion emphasized is that they reveal that the native born are responsible for more crime than the foreign born. That conclusion must not be taken for its face value.

If we are to draw any inferences worth while we must examine the term native. In general use the term is used with reference to Americans not mrely of native birth but of some generations of American ancestry. In studying the racial factor the mere fact of birth in this country is of little weight. We realize that the first generation of immigrants pass through a trying period in which they often have lost the restraints of the social discipline under which their ancestors lived and have not yet adopted the modes of American social character. Their parents have come to a new country and live under conditions which are not expressive of the main current of American life, often in slums which are created by their own poverty and the demoralization of new adjustments. These conditions do not exist to any great extent in communities of native Americans, using that term as it should be used as meaning Americans of the older stocks and of established living under American conditions. In recent decades immigration has chiefly flowed into the cities, creating conditions, political and social, which are not generally characteristic of communities of settled native character. To assign criminal statistics of these city districts to American nativity gives an erroneous impression so far as the question of the racial factor in crime is to be usefully examined.

Another consideration, from the same point of view, is the high rate of crime among the Negroes, especially of certain districts of the south. This is of course native crime even defining it in the sense of generations of American residence. It is the result of American conditions, but they are special conditions which do not bear upon the question of modern immigration or race infusion.

Unless these qualificaitons were taken into account, the conclusion of the report that our immigration policy "can safely be determined on general racial grounds" is not to be given much weight. We are willing to make some discount from the theory that the factor of race alone may be relied upon as determinant of immigration policy. What is sometimes ascribed to race is more properly ascribable to social conidtions not only in the country from which the immigrant came but in the situation he finds or creates in this country. But it will take better digested findings than those of this report to overthrow a policy which is founded on a sound discrimination among national strains.

Crime—1931

Georgia

Convicts Housed in Cages, Legislative Body Reports

Bibb County and State-owned Camp Severely Criticized, Former As "Most Unfavorable"; Record of Official Investigation Shown

The Macon Telegraph

(ED. NOTE — This is the seventh in a series of articles by John W. Hammond, The Telegraph's Atlanta correspondent, dealing with the charges of Robert E. Burns, fugitive from Georgia, that the state's convict camps are characterized by "indescribable filth and brutality" and that corruption touches its prison officials.-

By JOHN W. HAMMOND

Because Robert Elliott Burns, drawing on his imagination, and possibly picking up bits of information here and there from other prisoners, has builded largely a fiction story, the fact that the things he says of conditions in Georgia prisons do not stand in his presentation, does not mean that Georgia prisons are what they should be. There is too much beyond the hope of dispute the other way. Not all of them, of course, but the majority of them. Because Troup county has a model prison and Campbell county has a makeshift, unit to corral animals in, that doesn't tell the story of Georgia prisons.

Three-fourths of the so-called convict camps in Georgia are nearer the likeness of Campbell county than of Troup county. Not more than a fourth of the counties in the state have any other thought of their convicts than getting so much labor out of them—the more the better they feel they have done.

Burns wrote his story, and drew on his imagination, in 1929. Let's turn to better authority in the same year. A body of members of the Georgia general assembly, part of a joint committee for that pupose, went to prison camps in Georgia to study conditions. Biennially, they do the same thing. Let's examine into the report made by one of these; this one composed of Senator Wade Allen, Representatives M. B. Pilcher, J. R. Powell and J. O. Wall. They examined the prisons in Taylor, Schley, Marion, Webster, Terrell, Randolph, Stewart, Chattahoochee and Muscogee counties. Here are facts taken from the report filed by them under date of November 4, 1929, of which, for some reason, never became known to the public until this year:

Conditions As Reported

Taylor county: Found the food and treatment good. Recommend a fence around the camp "so prisoners may get recreation and not have to be confined" during their time away from work. Fine larger eating quarters needed, convicts being crampded. One woman found in the camp.

Schley county: The committee remarked on the fact that no chains were in use at this camp. It was striking to them. Warden B. C. Cheek told the committee he found better results came from not using chains, and said he had had no reason to punish a convict "in a year." Here, too, the committee found the eating quarters entirely too cramped.

Marion county—J. R. McCorkle, was the warden in this camp. The committee report says the food was "good" but they found the "camp very unsanitary" and the "sleeping quarters very bad." They pictured the roofs leaking and the floors rotten, and remarked the fact that "flies are very bad, causing the dining place to become unsanitary" with especial reference to the mess hall for Negroes. "This room," the committee says, "is close to the barn and stable which are seldom cleaned." The committee adds that the mess hall is adjoining "the sleeping quarters of the convicts in which the toilet empties into a tub under the floor" and is "allowed to overflow on the ground." The "scent and fumes from this and the horse lot makes the atmosphere obnoxious and nauseating." In addition to this the committee found that "chickens are allowed to roost under the dining places." Objection also was raised that there is no place for the convicts to exercise; that they are required to remain indoors during idle hours. Particularly did the committee comment on the fact that "the county commissioners took no interest in the investigation" of the prison camp.

Webster Critized

Wester county — The food was found to be "good" but the committee complained of need for "more of a variety" and pointed to the danger because of lack of a door to the sleeping quarters "in case of fire." The committee expressed fear that, in case of fire, the "entire squard would be caught in quarters. The committee found chains on only two prisoners, but complained that a man by the name of Simonds, "employed as a guard, is a former convict under parole" and that he "curses and abuses the men." His immediate removal was called for.

Terrell county — The committee found this an excellent camp, with conveniences and handled in good manner throughout.

Randolph county. — This county also was found in excellent condition and the officials commended.

Stewart county.—"Camp conditions very bad and very unsanitary" the committee reported. The complaint was laid against "insufficient food' particularly as to variety, "unkempt quarters" and particularly the "profuse use of chains; in fact, most of the prisoners were in chains" and some of them, the committee found, had had chains on their legs for years. "One prisoner," the committee said "has been in chains more than six years, and has worn out four sets of chains on his legs." The committee complained that "this prisoner has to sleep with dirty trousers on because they can not be removed on account of the chains."

As Barns Described

It might be remarked here, that this is a condition referred to by Robert E. Burns in his magazine story, but his reference was to that state of affairs in the camps where he had been confined. It appears, too, that in Stewart county—no visit was made to that county in preparation of this story—"cages" of wagons similar to those in use in Campbell are the cell houses, for the legislative committee says "in one of the cages" they "found a convict ill," who had been injured while digging a ditch, that he had difficulty in getting the guard to procure medicine or the county physician. The committee says it found the man unable to talk above a whisper. Reference is made also, by this committee, to another prisoner whom the committee found had been shot in the leg and compelled to work while in that wounded condition. Another prisoner the committee recommended be checked up as to time of sentence, the information being that the man was sent up in 1923 for 14 months, whereas the authorities claimed he was sent up in 1924. The committee included the remark that they "want it understood this information does not come from convicts, but from reliable outside sources" that the warden "drinks to excess" and visits the camp "periodically under the influence of whisky." They made the recommendation that, "unless there is a decided improvement in the camp and more humane treatment of the prisoners," the warden be removed. They especially recommended that "the guard who carries a shot gun" be immediately removed "on account of his inhuman treatment, cursing and abusing the prisoners."

Only State Camp Rapped

This same committee,, reporting on the Chattahoochee convict camp said that Warden L. C. Perkins—this is the warden who had charge of the Campbell county camp when Burns was first sent there in 1922—is "doing the best he can under existing conditions." What else they thought of this camp, though, is strong condemnation. "This is the only camp visited by your committee" the report says, and, while it should be a model camp, in the minds of the committee, they found its "conditions poor and unsanitary," the mess hall "unkempt, unclean, fly-infested and unsanitary." Complaining of the dirt floor, the committee said the place is full of "cob webs, soot and flies in abundance."

The quarters in which the prisoners are confined, the committee says, "are entirely cages" and these are "poorly kept and unsanitary," "the bedding being dirty, the matresses old and the cages smoky." As though to emphasize the condition, the report says "as bad as this condition now is we understand it is a decided improvement over what it was before Warden Perkins came there."

The "cages" referred to in this report are that form of detention make-shift employed in Campbell county, which have been described at some length in this story—wagons in which prisoners are packed like sardines in a box.

Highway Board Blamed

After its word picture of the horrors at the Chatahoochee camp, the legislative committee expressed conviction it felt its duty to be to "put the responsibility for the condition as it now is" where it belongs and states in the report that "the state highway department having charge of furnishing the supplies" is primarily responsible, adding "and especially on the inspector for the prison commission."

"In this connection" the legislative commission says, "we wish to say in a general way that we attribute to him the responsibility for the conditions prevailing in the other camps visited by your committee, for we believe it comes within his authority to make such criticism and recommendations as will better the conditions at each camp."

Muscogee county—The committee commended this camp highly in every respect, and emphasized the fact that the camp is operated "without the necessity for chains." There is never a sick man in the camp, since the county maintains a special hospital ward where the sick are promptly removed. The warden, the committee says, sees all the men twice every day.

Bibb Camp Criticized

Another legislative body, a subcommittee of the same general body from the assembly, made a report under date of November 6, to Chairman J. S. Powell, of the general committee, in which it reported conditions at the camps in Bibb, Monroe, Jones, Upson, Crawford, Wilkinson and Houston.

Dealing with the situation in Bibb county this committee desired to "especially report as to Bibb county" in 1929. It referred to the stockade as "old, badly lighted and in generally poor condition" and added that "it is the opinion of the committee that 100 prisoners can not properly be cared for with the equipment" stressing the belief that "even moderate sanitary conditions can not be maintained."

"Among all the counties we visited," the committee says, "we considered conditions in Bibb county the most unfavorable." The committee emphasized its conclusion that the officials were efficient and says its "criticism is directed to the building, location and equipment."

"In Monroe county we found conditions entirely the reverse from those in Bibb. The system in this county could be cited as ideal." The three camps in Monroe, the committee says, "have the appearance of a real home."

Conditions in the other counties visited by them were "found reasonably good. The sanitation they believed "was probably on an average superior to other camps in the state."

This sub-committee concluded its report with the statement that it was "impressed with the fact hat only a few counties have permanent buildings; that the camps generally are made up of the cage type, or as the committee expressed it, "the men are housed in cars."

That conclusion, probably better than anything else, describes the fault and ground for criticism with the Georgia prison system. It is not a prison system. In the main, particularly where these rolling "cages" are in use—in the majority of the camps as the legislative committee reports—the objective is to get a certain number of men in penal servitude "work 'em like hell" and get by any old way in the matter of providing where and how they shall live during their period of service. Some of the camps of this kind have been seen in which the live stock is better cared for than are the prisoners.

"Hell On Earth"

THIS is the way Robert E. Burns, escaped convict, describes the Georgia chaingang system. Burns was convicted for a robbery in Atlanta in 1922 and sentenced to 10 years on the chaingang in Campbell County, Georgia. He escaped and went to Chicago where he published a magazine and made money until his wife, becoming jealous of attentions paid another woman, turned him up. He was returned to Georgia and this time placed in the Troup county chaingang camp from which he again escaped. Since that time he has never been apprehended, but made sensational charges of graft and corruption against chaingang officials and charged conditions of "indescribable filth and brutality" as to the system.

The *Macon Telegraph* has sent a special representative to Atlanta to investigate these charges and as a result of his investigations takes the position that there is no evidence to support the charges of graft and corruption as to officials. But there is ample evidence to support the charges as to brutality and cruelty within the whole system.

4-10-31 Norfolk, Va.

The use of stocks is common. They are used to punish and suppress unruly prisoners. The arms and legs are put through boards and the prisoners are made to sit or swing in this position to the satisfaction of the warden. As a result of this cruelty, the arms and legs swell and the back feels like it is broken.

Another method used is that of placing shackles on the legs of the unruly prisoners. Burns describes this method thus: "The chains that the convicts wore riveted to their ankles

were as much a part of their physical being as their arms and legs." 4-18-31

It appears that both these forms of punishment are used throughout the Georgia system and who can tell what other barbarous methods are not used? But these two are enough to stamp the state officials who use them and thus permit such torture of living human beings as being sadly in need of civilizing influences and this puts it mildly. These methods of punishing human beings are a relic of the "dark ages" which we had hoped every state prison system in the country was free of. But alas!

If white men are subjected to such brutality, then heaven only knows what the members of our race are compelled to undergo. It is indeed sad to contemplate. A situation like this presents a challenge to every decent citizen in Georgia who has a spark of decency left. And the way Georgia arises to stamp out such a blot upon its name will determine how seriously the people of that state take their responsibility for those men whose liberties have been taken as a result of their sovereign will.

THE ELECTRIC CHAIR

To the Editor of The Telegraph:

I have read your editorial of today criticizing the long delay incident to the execution of Burley Adams; and wish to suggest to you that lawyers for such defendants seem justified in such tactics for the reason that capital punishment is so utterly wrong—and so awful.

Too, I think you overlook the fact that none of the critics want any hurry in bumping off any close relative of theirs. Just let one of our editors have a son put in jail for killing somebody, and, like a martin to his gourd, straight he goes to the best law specialist available, and tells him that he wants to employ him to put the hanging off as long as possible—that, in fact, he may decide that he does not want it to happen at all.

Getting electrocuted is a bad habit for any man to acquire. Too many hangings in a family kinder lowers its standing in the community. I know of nothing more universally distributed than this aversion to capital punishment — for oneself, or ones relatives.

A year or two ago, the son of a high church dignitary in a state adjoining Georgia took a notion to beat up his landlady with a chair, and, when a 70-year-old man sought to restrain him, he hauled off and killed the old man. There was absolutely nothing to be said in behalf of the murderer, except that his father was an aged preacher, and his invalid mother could not come to the trial. A lawyer, who was perhaps the ablest criminal lawyer in the country, was employed to defend him, and he went into court, and just simply got a verdict turning his client go. You will recall that circumstance, Mr. Edtor—as I recall it you criticized it at the time.

Just after those Christian gentlemen cooked up Adams, they slapped a little negro into the skillet; and so that made, as I read the paper, the sixty-fifth victim of the chair, during the six years it has been set up. There is, therefore, no use in despairing of the republic. Georgia is all right. She may hover at the bottom of the 48 states in such matters as literacy, but she tops them all in the matter of electrocutions of poor whites and Negroes.

—Atlanta W. A. COVINGTON.

POLICEMEN ARE STILL KILLING NEGROES.

There should be some regard for human life, even among policemen. It matters not if their victims are poor unfortunate Negroes who can hardly expect the protection of the law in common with white folks. Law enforcement officers, police and whatnots should understand that human life is not to be destroyed by those who should protect it.

Hardly a week passes but that some policeman kills a Negro and the daily papers announce in block letters that the police or detectives have slain another Negro, or shot another bandit in self defense. Almost invariably the police are congratulated by their superior officers for their deed without investigation, and who fuss among themselves about who is entitled to credit for killing another Negro. Not even an investigation is made to find out the truth, whether the police shot in self defense, or out of cowardice and thirst for Negro blood.

It must be admitted that our police are killing too many Negroes with impunity. A poliseman is a poor officer who must kih a man to make an arrest. It ought not to be left up to the policeman to decide whether he killed his victim in self defense or not. If no other investigation is had, the police committee should at least look into each homicide far enough to find out whether the officer involved, used ordinary discretion and shot to kill when he was satisfied that if he did not kill his victim, his victim would kill him. But in every case where a policeman kills a Negro he is exonerated and congratulated without a farce of a trial upon his own unsupported statement. Every policeman or other officer who kills a prisoner in the discharge of his duties as an officer should be arrested and given an opportunity to establish his guilt or innocence by due process of law, and not by the killer's unsupported word of mouth.

Policemen must be stopped from killing Negroes like cattle; Negroes are human beings like other people, and are entitled to protection in common with other people. Policemen ought not to feel that they can kill a Negro because he runs away from them to avoid arrest, or walk toward them with a brick in his hand. The officers should show more courage than to use his pistol for the slightest jesture.

Life is as sweet to a black man as it is to a white man, and this solemn declaration is the dictum of the law of God and man. It is not by the law that the Negro is mistreated, for the law is fair, it is chargeable to those who are charged with the enforcement and administration of the law. The law makes no distinction in enforcement of persons, but the law is the same thing under all men, and its maladministration is chargeable to those who violate their oath of office.

For a policeman to kill a Negro and get away with the crime on his own personal statement, is not helping society or making better officers. There is only one way to help society by law enforcement, and that way is to enforce all the law all the time, against every man who violates the law without regard to race, color or previous condition of servitude.

USE OF NECK CHAIN ADMITTED BY WARDEN

OGLETHORPE, Ga., June 18.—(AP)—C. E. Worthington, warden of Macon county convict camp, tonight said it was true a chain was used about a prisoner's neck recently, but that it was only a four-foot chain and was a form of punishment.

ATLANTA, GA.
GEORGIAN
JUN 13 1931

Making Some Progress

THE hanging of a negro murderer in Richmond County yesterday was the last legal hanging the State of Georgia ever will see.

The substituting of electrocution for hanging was made in Georgia because that seems to be a more "humane" and decent way to go about killing defendants in cases involving capital punishment.

We do not know for sure whether it is or not; but that is the theory.

At all events, a murderer dead from electrocution is just as dead as one dead from hanging!

Before many years have passed, Georgia in all probability will repeal its laws prescribing capital punishment for crime of any sort.

The trend of civilization for the last hundred years and more has been steadily and definitely in that direction.

Capital punishment distinctly is a relic of barbarism that more often than not defeats its own end.

It has been hard for many of us to come to a realization of that fact; but thousands of citizens are coming to that viewpoint as the years go by.

Crime-1931

INSPECTION BARES 'BAD' SITUATION IN FIVE COUNTIES

Constitution

Inmates of Some Prisons Get Good Treatment and Proper Food, Senator Smith's Investigators Find After Long Survey

6-19-31

KEEPERS "BRUTAL," SOLONS DECLARE

Atlanta Ga

One Prisoner Forced To Work With Big Chain Around His Neck, Inquisitors Declare.

Brutality in at least two prison camps and "deplorable conditions" in three others have been reported to Senator J. A. Smith, chairman of a legislative prison investigating committee, by two subcommittees after a statewide inspection of camps located in 18 Georgia counties.

The report of the two subcommittees to Senator Smith has been placed in the hands of the state prison commission and copies of it will be transmitted to the governor for his examination and retransmission to the general assembly meeting June 24.

In Macon county the subcommittee, headed by Senator W. V. Whaley, of the thirty-fifth, reported that it found one white man "with a heavy chain around his neck fastened with a heavy lock. This chain was very heavy and the prisoner was forced to work."

"In Crisp and Dooly counties," the same subcommittee reported, "we found the mattresses worn out and the men were uncomfortable at night."

A second subcommittee, headed by Senator J. Render Terrell, of the twenty-sixth, found conditions in Cook and Lowndes counties "quite unfavorable."

Details on Conditions.

"We were informed at the camp at Valdosta, in Lowndes county," the report to Senator Smith said, "by two convicts therein that one of the prisoners had been struck by the warden while ill and that another convict had been shot by a guard."

In Sumter county, where the prisoners are kept in an old airport building near Americus, the committee found:

"The convicts were being fed in one of the old buildings and the building was in a deplorable condition. They were being served with their supper while it was raining and the men were cold and shivering and their table and food was getting wet as they ate their meal.

"The white men were forced to eat in the same dining room with the negroes and were locked in an iron cage with wet clothes to sleep in, and we recommend that the white and colored prisoners be segregated in the dining room at once and be put in a comfortable dry building at once."

At an unnamed camp the group headed by Senator Terrell found a copy of the Ten Commandments posted and in its recommendations suggested that similar copies of the Decalogue "be prominent and conspicuously displayed in each and all of the convict camps in Georgia."

"With the welfare of the unfortunate inmates of these camps in mind," Senator Terrell's subcommittee said, "and with a view of rehabilitating them so they may regain a respected place in society, we respectfully make the following recommendations:

"1. Posting the Ten Commandments in each camp.

"2. That a more generous use of lime and whitewash be used upon the ground and buildings.

"3. That all doors and windows be properly screened.

"4. That typhoid serum be given to all inmates and that the county physician in each county where there is a camp be directed to make regular visits to the camps, making at least one visit a week, that he may observe the general conditions there obtaining, that disease may be repelled and the health of the convicts properly guarded."

No Milk for Prisoners.

In addition to recommending that "the practice" of keeping a heavy lock and chain around the neck of white prisoners "be discontinued," the committee headed by Senator Whaley said:

"We found in all counties that the prisoners were not being fed any milk at all and we recommend that the commissioners provide dairy cows and furnish milk and butter for the prisoners."

This committee inspected camps in Macon, Sumter, Lee, Dougherty, Baker, Miller, Early, Calhoun, Crisp and Dooly.

Senator Terrell's subcommittee inspected camps in Brooks, Colquitt, Cook, Decatur, Grady, Lowndes, Mitchell and Thomas counties. With the exception of Cook and Lowndes, it said:

"We are pleased to report that we found, after careful and diligent inspection, that all of the camps in each of said counties, except one, are in good physical condition; that they appeared to be kept in a healthful condition, clean and sanitary, with appropriate and good quarters for the inmates thereof; that adequate means existed for the preparation of necessary food which we found in each instance to be good and properly prepared and that during our inspection of the several camps in these counties we found no conditions existing that would necessitate or justify an unfavorable report of said camps or of any person, or persons, in charge thereof and we would advise you further that in each instance and each of the camps visited in said counties we found the races properly segregated and cared for, and so far as we could determine, we found the morale of the inmates of these camps to be good."

After a detailed investigation of the whipping of a prisoner while ill, and of another having been shot by a guard, at the Cook county camp, the committee said that both cases had been reported to the prison commission. "The commission," the report said, "has given praiseworthy attention to the conditions existing at the Cook county camp at the time of our inspection, which conditions, according to our information, have been remedied and are in process of satisfactory adjustment."

Members of the subcommittee headed by Senator Terrell were Representatives Goolsby, of Monroe; Holt, of Gwinnett, and Rabun, of Jefferson. House members of the Whaley committee were Representatives Kimbrough, of Harris; Franklin, of Butts, and Scruggs, of Washington.

CRIME STATISTICS GIVEN

Telegraph

June Cases More Numerous, Cash Return About Same

7-1-31

A total of 664 cases was heard in Recorder's court during the month of June, according to the report of Paul Stanfield, clerk, made public yesterday. The cash collected for fines and bond forfeitures totaled $2,243.90. Cash collected in June, 1930, amounted to $2,157.57, although almost a hundred fewer cases were heard.

Macon Ga.

The more serious cases last month were murder, 1; forgery, 3; passing worthless checks, 3; stabbing, 5; burglary, 6; larceny, 25, and violating the state prohibition law, 17. Ninety-nine charges of drunkenness were tried, and 140 charges of disorderly conduct.

LIGHT IN GEORGIA.

Defender 8-8-31 Chicago Ill

THE convict camp is a southern institution. It is found everywhere below the river, but it flowered full and brightest in Georgia. Alabama had it, but bowed to an aroused womanhood of the state and made a change. It lived and flourished in Mississippi, is still there in one form or another. And so on through the list of the old slave states we have had this barbaric institution for almost half a century.

The convict camp is slavery under law. It is peonage conducted by the guard instead of under the overseer. It is the South's attempt to have bondage in a form while yielding on slavery under force. Ninety per cent of men found on the chain gangs and in the convict camps are Colored. If even an appreciable number of prisoners in Georgia were white instead of black, southern penal institutions would be as found in the enlightened sections of our country. The Negro is helpless against the convict camp and the chain gang because he is helpless in the courts.

He is helpless there because he has no citizenship. Unable to give expression to his manhood in the government he can have no defense at the bar. It all goes back to the fundamental of the whole situation which disgraces the national spirit. It goes back to the success of the slave states in re-establishing slavery by circumvention of the Constitution. While the convict camp in Georgia and the chain gang reflect the brutality of the South, or that portion of it which operates the politics of the South, it is an expression of our national attitude. It is testamentary of the indifference of the North and the West, which are the civilized and responsible leadership of the American people, to our good name.

The convict camp and the chain gang while inexcusable are both still explicable. They had to be because Georgia is what it is in background and ambition, and the Negro is how he is because of the deseration of him to his oppressors by those who set him free of legal bondage. They are the black laws taken out of the legislature and set up in the courthouse. They are monuments to dead overseers whose sons are chain gang guards who count themselves elevated.

The cruelties and brutalities of a convict camp would not be believed by decency in our civilized section if related by a religious chancellery. They are visited upon a people who are punished for not being able to keep the handcuffs off before the handcuff judges. They are as common as the hours of the clock and are not now news. The camps and gangs are involved in the wealth of the states which tolerate them.

If it is thought that the Defender attitude is an interested one we have in the Atlanta Georgian a corroborative comrade. The distinguished Macon Telegraph, a newspaper of no ordinary vision, refers to a "brutal place of torture" where a convict too sick to work was chained to a telegraph pole and left to die in Houston county.

Whereupon the Atlanta Georgian says:

When a bill to restore the lash to the convict camps was introduced in the Georgia legislature not long ago, the Macon Telegraph, the Atlanta Georgian and some other newspapers of the state entered immediate objection to the passage of any such ill-advised and reactionary measure.

Not only is the bill proposed monstrous per se, but it is a particularly sorry advertisement for Georgia abroad at this time—or at any other time, for that matter.

In a hearing on this bill before the committee of the house having it in charge, it was urged among other things by its advocates that to restore the lash really would be a "humane" thing to do, in that it might be "substituted" for other cruel and inhuman practices in the camps such as employment of the thumbscrew, the sweatbox and one thing and another of that sort.

That suggestion seemed to the Georgian somewhat grotesque in that it had not occurred to us that "things even more cruel and inhuman" might be going on in Georgia convict camps than would be involved in a restoration of the lash.

Maybe we were mistaken about that!

Few Georgians wish to see the lash restored to our penal institutions.

They may doubt whether there is anything that might be worse than that by way of indecent, cruel and inhuman practices; but they will hardly deny that there may be some other things equally as bad.

A correspondent in Atlanta writes the chief of police in Chicago to protest against the return to Georgia of two men "who broke the chain gang." The writer lives in Atlanta. He begs a refusal by Chicago authorities for their return to slavery. His plea states "You don't know the way people are treated down here." Maybe not, but Chicago authorities have traveled and are widely read. A return of any Negro to any authority beyond the river is an act not lost upon the intelligent police organization of the North.

When the North allowed the slave and beaten South to rob the freedmen of the ballot, it assented to the chain gang and the convict camp. It put the seal on Jim Crow in our country. It stood back of the curse of prejudice. It put the inquisition at the door of the courthouse. It made the judiciary a tyranny. When the free North allowed the slave South to close the ballot box to Colored citizens South it forged the chains for every

gang found in Georgia. It was there when the helpless, hopeless man was tied and left to die.

JUSTICE FOR ALMOST ALL

To the Editor of The Telegraph:

A white banker embezzles nearly one hundred thousand dollars entrusted to his bank by its depositors. He gets ten years in the penitentiary.

Two Negroes break into a filling station at night and steal cigars, cigarettes, candy and canned goods of relatively trifling value. Another Negro steals a shotgun from a member of his race. The three get fifteen to twenty years each.

This is not a fairy tale. The first case actually happened in Bibb county, Georgia, within the twelve-month. The other two occurred in Peach county, Georgia, last week.

They would be bad enough if they stood alone. But they are typical. The white man's crime ruined scores of innocent people. The negroes' crimes injured no one except the two or three persons immediately involved, and the damage done to them was comparatively unimportant.

Nor is this all. In such cases, the subsequent history is usually about as follows: The white man has influential friends. These bestir themselves, and a pardon results. The Negroes are friendless. The world forgets them, and they rot their lives away in stinking prisons.

And this is justice! Justice, whose seat is said to be the bosom of God, whose voice is said to be the harmony of the world! The law is tender with white criminals of respectable antecedents. It punishes the poor and lowly, particularly if they happen to be black, with savage brutality.

I do not say that white embezzlers should be treated with greater harshness. I do insist that severity of punishment ought to bear some just proportion to the gravity of crime. And I think that justice should be tempered with mercy to all men alike. MARVIN HALL.

Macon, Georgia.

White Youth Gets Year for Slaying

ATLANTA, Oct. 9.—"Georgia justice" asserted itself here Thursday morning, when Ormond Bell, 18-year-old white youth and one of three charged with the murder of Frank Harris, an aged man, was found guilty of manslaughter and his sentence fixed at one to two years.

Testimony revealed that the aged man was attacked by the three youths on Aug. 1 and one of them struck him on the head with a piece of tile picked up from the sidewalk, killing Harris almost instantly. Despite the testimony that it was a case of first-degree murder, the jury, after a short deliberation, returned a verdict of guilty of manslaughter and the extremely light sentence was imposed.

Other defendants who are yet to face trial are Everette Abercrombie and Jack Eubanks, who, like Bell, were indicted for murder.

Crime - 1931 I. Georgia

Echols Goes Into Details of Connection With Burns; Says No Gratuity Offered

Attorney Who Represented Chicago Publisher When First Arrested Gives His Version of Escaped Convict's Georgia Record

(Editor's Note—This is the second of a series of articles by John W. Hammond, The Telegraph's staff correspondent in Atlanta, dealing with the charges made by Robert Elliott Burns, a fugitive from Georgia chaingangs, in True Detective Mysteries, a magazine.

Burns was convicted in connection with a robbery in Atlanta and escaped from the Campbell county gang in 1922. He went to Chicago and established a magazine. Seven years later his wife, jealous of another woman, turned him up and he was arrested and brought back to Georgia.

In True Detective Burns charges, beside indescribable fifth and cruelty, corruption in prison wardens and officials in Georgia. He charges among other things that it was agreed when he returned that he should put up a certain sum of money, serve a month or two and then get a parole or pardon. He charges that he was summarily removed from the Campbell county gang when he could produce no more money and sent to the Troup county gang and assigned to hard labor in the sand pits. He charges, too, that he gave a check for $350 to Chairman Redwine of the Campbell commissioners, and that the money never got into official channels.

Mr. Hammond's articles will deal with all those charges, in an effort to ascertain the truth as to conditions in Georgia's convict camps.)

By JOHN W. HAMMOND

Attorney John F. Echols, of the Atlanta bar, who was appointed by Judge E. W. Thomas, of Valdosta, sitting at the time as a relief judge in Fulton Superior court, to defend Robert Elliott Burns, in a charge of holding up and robbing an Atlanta merchant, has dictated the following story dealing with every phase of the case on which Burns, now an escaped convict, has based his sensational magazine story: "I am a Fugitive from the Georgia Chaingang." In the story Echols, whose sympathy was aroused by Burns, tells what is really the other side. Here it is:

"In 1922 Burns was arrested, with two other men, on a charge of holding up and robbing S. Bernstein, a small merchant on Capitol avenue."

(Note—In the opening installment of his magazine story Burns said: "I am a fugitive from the law, but not from justice. All the world knows my case. . . . I committed a petty crime in Georgia, was caught, convicted, sentenced to 10 years on the Georgia chaingang. On June 21, after serving a few months I made a miraculous escape.")

He Represented Burns

"Judge W. E. Thomas, of Valdosta, sitting in the superior court in Fulton county tried the cases. Burns had no counsel when brought into court, nor had either of the other men arrested with him. Judge Thomas appointed me to represent Burns, appointed Murphy Holloway to represent Sidney Flegg, and appointed C. Don Miller to represent John Moore. They were jointly indicted.

"Burns was ragged, unkempt, without any funds whatever, and as dejected a man as I have ever seen. He told me he was a World War veteran. In fact I have his discharge papers in my file now. I realized quickly he was an educated man, smart and had evidently been accustomed to better conditions in life.

"Burns told me he had come to Atlanta the day before the robbery. He said he had met Flegg and Moore at the Salvation Army place, where he had spent the last cent he had in the world for a place to sleep. His story of his service in the war, his inability to find work after the war, and the manner in which he met Flegg and Moore aroused my sympathy and created a pretty strong desire on my part to do the best I could for him. Each of the three men entered pleas of guilty to the indictment. As I recall it, they admitted holding up the store-keeper, from whom they said they got $5.85.

"Flegg and Moore were identified in connection with other robberies. Burns was not. Burns was sentenced by Judge Thomas, who listened attentively to Burns' story of his war service, his efforts to get employment after the war, and was visibly impressed with the declaration by Burns that he had never been connected with any other crime. The other two defendants, Flegg and Moore, were given heavier sentences, but Burns was sentenced to serve from eight to 10 years.

Burns Makes Escape

"It is my recollection that Burns was first sent to the Fulton county chaingang, and later transferred to the Campbell county gang. He escaped from the Campbell county camp in 1922, just a few months after his term of service started.

"Burns was apprehended in Chicago in May, 1929, just about seven years after his escape. The newspapers carried items about his apprehension in Chicago, and I sent Burns a telegram, in care of John Steege, police commissioner of Chicago, a copy of which I now exhibit to you. It said this:

"'You have made a wonderful comeback. I wish you every success.'

"A day or so later I received a telegram from a man by the name of Cameron Latter, an attorney in Chicago, in which he said that Col. Gordon W. Chambers of Augusta, a member of Governor Hardman's staff had communicated with Burns, tendering his professional services. I exhibit here a copy of that telegram. In it Latter asked me to find the best member of the bar available to represent Burns. I wrote Latter in reply stating—here is a copy of the latter—that I would not be the proper one to present any application for clemency in view of the fact that I had opposed Governor Hardman in his campaign for election. I submitted to him the names of William S. Howard of Atlanta, John I. Kelley, state senator of Lawrenceville; President of the Senate E. B. Dykes of Vienna; State Senator Walter C. Hendrix, of Atlanta; State Senator Carl N. Guess, of Atlanta, and Judge Newt A. Morris, of Marietta, but made no recommendation to him on which one he should select.

"Revenge of Justice"

"On Friday, May 24, 1929, the Atlanta Georgian carried a full-top page editorial, with a drawing, under the caption 'Revenge of Justice' which attracted my attention. I clipped it and sent that to Latter and at the same time sent him this telegram:

"Prominent ministers, lawyers and laymen think Burns should not be returned. Dr. Owensby, widely known specialist, says he should not be returned. Former Mayor W. A. Sims says he should be pardoned. Wire me outcome.'

"On that day habeas corpus proceedings were being handled by the court in Chicago, and it was to this I referred.

"Latter then telephoned me asking when he could see me, and on June 14 I received this telegram from him: 'Arriving in Atlanta Saturday evening. Wish to confer with you.' He came. He said he had investigated the attorneys included in the list sent him, stating that, through his Chicago magazine Burns has supported the local power company in Chicago in a political fight. He got in touch with them and they in turn had conferred with the Georgia Power company officials in Atlanta, and officials of the Georgia Power company had advised that Attorney William S. Howard be selected to represent Burns above all the others suggested. Latter wanted to meet Mr. Howard and asked me to arrange it. I took him to Mr. Howard's residence on Sunday and they had a lengthy conversation. They held another conference Monday, but I was not present at that time. Latter, however, came into my office and told me he had arranged with Mr. Howard to represent Burns for a fee of $2,500. I knew nothing whatever about the terms of the arrangement, but Mr. Howard has since confirmed the statement made to me by Latter that the fee was to be paid $1,250 in cash and the remaining $1,250 at a later date.

Judge Rainey Visited

"At that time Latter asked me to see Judge E. L. Rainey, chairman of the Prison Commission, about Burns voluntarily returning to Georgia. In compliance with this request I went to Judge Rainey's office and had the conversation, stating to Judge Rainey that Burns wanted to return and ask for a pardon. I quite distinctly remember that Judge Rainey listened to me, but made no comment except to say 'if he wants to come back and surrender let him be here by 10 o'clock Tuesday.' However, the next day Judge V. L. Stanley left Atlanta for Chicago—or possibly Mr. Stanley left Monday. I know nothing about what happened in Chicago, except they were having some kind of court hearing presided over by a Judge Davis, and the press reports stated that a great deal of evidence was submitted as to Burns' good character.

(Note—In the Burns magazine story a great deal of space is devoted to a description of Commissioner Stanley's trip to Chicago, alleged payment of his hotel bills by Burns, and incidents between Burns and Commissioner Stanley in connection with the return of Burns. That will be treated elsewhere in this story.

"Latter asked me, either in correspondence or when he was here, to see Judge E. W. Thomas in Valdosta, present a statement to him of Burns' good standing in Chicago, the good record he had made in business, and to ask Judge Thomas if he would recommend a pardon. I went to Valdosta and saw Judge Thomas, stating the situation to him. He replied that it was always his policy to leave matters of that kind entirely to the discretion of the prison commission. He refused to make any recommendation one way or the other.

Blanks Forwarded

"Burns forwarded to me from Chicago several blank forms for signatures asking that he be pardoned, which he wanted the public generally to sign in his behalf. These were accompanied by a statement of his case signed in type by the 'Burns Citizens Committee' at 1021-6 West Wacker drive. I distributed several of these and signatures were put on them. They were filed for Burns.

"Burns subsequently returned to Atlanta accompanied by Judge V. L. Stanley. I met them at the station, taking Judge Stanley to his home, on Spring street I think, and then went with Burns to Attorney Howard's office. From there Mr. Howard, Burns and I went to lunch together. In the conversation at that time Mr. Howard advised Burns that it would be necessary for him to remain on the chaingang 90 days to one year, and said to him distinctly that, during that time he believed a pardon could be secured for Burns. The suggestion met with Burns' approval. After lunch we came to my office to meet Judge Stanley and Mr. Redwine, chairman of the board of Campbell county, and the warden from that county, at 3:30 p.m. It was understood that Burns would at that time formally surrender, it being my understanding that he was under a valid bond of $5,000 until he did surrender. When we reached the office Burns stated that he wanted to compensate me for expense I had been to in going to Valdosta and for the calls Latter had made to Chicago over my office phone. I had kept no accurate account of these expenses and told Burns so, expressing the belief that $100 would probably cover it all, and Burns drew a check for that amount to my order. He told me he had arranged to pay the expenses incurred by Judge Stanley in going to Chicago, and the expenses that the Campbell county authorities had been to in having him returned to Atlanta.

Redwine's Check

"About 3:30 we went to Mr. Howard's office. There he drew a check on the City State Bank of Chicago for the sum of $350 to Chairman Redwine's order in my presence. He also drew a check, also in my presence, on the same bank, to the order of Wm. S. Howard in the sum of $700 on account of legal fee in his case, stating to Mr. Howard that he did not at that time, with all the expense he had been put to, have the full amount, but that he would hand Mr. Howard in a few days $550 more, which would be one-half of the fee agreed upon between them. Something was said about the time, and Burns said the balance of the fee would be paid within 15 or 30 days, which was agreeable to Mr. Howard.

"Burns left the office with Mr. Redwine, chairman of the Campbell county board of commissioners.

"In the conversation it was made clear that the $350 check was to cover the expenses of two men who had gone from Campbell county to Chicago to get Burns, and had remained there several days in an effort to bring him back here, but were unsuccessful. No mention whatever was made of the payment of any amount for Mr. Stanley's expenses.

"Some days after Burns had been taken to the Campbell county camp a Miss Lillian Salo came to my office and asked me if it would be advisable for her to see Burns. I referred her to Mr. Howard.

"In the meantime Mr. Howard had received from Merle McBain, a partner of Burns in Chicago—about July 26 I think—369 cancelled checks for a total amount of $6,127.33 made to the order of hospitals, mortgage companies, doctors, to Burns' wife and others. McBain advised in his letter that Burns would be able to tell the significance of these cancelled checks.

(Note—These are the checks

Burns refers to in his magazine story as having been made in payment to his wife on a debt due her and in payment for hospital treatment, etc., though the aggregate amount stated by him is larger.)

Miss Salo Visits Him

"When Miss Salo asked about going to the camp to see Burns, Mr. Howard advised that I accompany Miss Salo and himself to the camp in order that Burns could give the detailed information concerning the cancelled checks, and make a succinct statement and analysis about them. The three of us went to the camp and had a lengthy conversation with Burns. Miss Salo sorted the checks and arranged them in order. At this meeting Burns stated to Mr. Howard in my presence that he was delighted with the way his case was being handled, and in the course of the conversation, without any reserve, told Mr. Howard he would have the balance of $550 due on the retainer fee 'in the next few days.'

"We found that Burns was a trusty at the camp. He was not in chains, and apparently not under any kind of restraint. He was in fact at the camp by himself all the forenoon of the day, and was principally engaged in doing some kind of painting. He told us he was delighted, too, with the treatment being accorded him. Later I was impressed with the fact that Burns was alone in the camp at least until about noon, and for a reason.

"A few days after that visit I learned that Miss Salo had been in the habit of leaving Atlanta on an early bus, riding to a point a few hundred yards away from the camp, where she arrived usually about 8:30 a.m. She proceeded to the camp and spent the time with Burns, and repeatedly was seen by people in that vicinity. These visits I learned were without the knowledge of the Campbell county camp authorities, and I know they were without the knowledge of Mr. Howard or myself. The fact that she was seen making these visits will develop a little later on.

"The latter part of July I told Mr. Howard it was my purpose to go to the camp in Campbell county to see Burns in reference to one of the cancelled checks in the batch which had been sent to Chicago, and which was drawn to the order of one Errickson, an attorney in Chicago, but of which no explanation had been made when the other checks were gone over. At that time Mr. Howard asked me, while at the camp, to call Burns' attention to the fact that Mr. Howard had not yet received the $550 to apply on the retainer fee according to the agreement made with Burns, and which Burns had promised would be paid 'within 15 or 30 days.' In my talk with Burns at the camp I did so. That must be the check to which Burns referred, but it was $550 and not $500.

(Note—Burns, in his magazine story, in the current issue, emphasizes the statement that Echols called on him July 29, demanded money, and made the statement that members of the prison commission should have a gratuity. He also stated in his story that an hour later he was hurriedly transferred to Troup county.)

Payment Due Howard

"I made no reference to the Prison commission whatever in my conversation with Burns, and there is no possible doubt that Burns fully and distinctly understood that the $550—not $500—to which I referred was in connection with the payment due to Mr. Howard, for Burns asked me to tell Mr. Howard that the $550 would be sent to him direct the next day by Mr. McBain, his partner in Chicago. He said to tell Mr. Howard he had, on the day previous, told Miss Salo to call McBain and have this done.

"No suggestion or mention, directly or remotely was made by me to Burns about any gratuity for anybody. Burns did not owe me anything, and I made no demand on him for money for myself or anybody else, except to deliver the message for Mr. Howard touching his fee.

"On the day previous to my visit to the Campbell county camp my attention was attracted early in the afternoon to a news story published in The Atlanta Journal, July 28, that Miss Salo was living at a local hotel and that she was making frequent visits to Burns at the Campbell county chaingang camp. Later I enclosed a copy of this newspaper story in a letter to McBain, Burns' partner in Chicago, and one to his attorney, Cameron Latter. I learned the day after I had visited Burns in Campbell county that he had been transferred to the Troup county gang. It was upon this information I wrote the letters referred to, and in the letter stated it was my firm belief the transfer occasioned by the fact that Miss Salo, who was not Burns' wife, was frequently visiting him at the camp, and suggested in the letter than she be immediately advised not to make visits to the Troup county camp. I expressed the belief that these visits would hurt Burns' case, inasmuch as it was known she was not his wife, and that their relations had become rather well known. Here is a copy of that letter. I had not mentioned these incidents to Burns or to Miss Salo, because it was none of my business, but when the newspaper publication came out, and when Burns was transferred, I wrote the facts to Burns' associate and his lawyer in Chicago because it was my belief that the woman's visits were hurting Burns' case.

Never Visited Commission

"I never visited the prison commission offices in behalf of Burns, except on the day the hearing on the clemency petition was had. I did not have any other communication at all with any member of the commission, either directly or indirectly concerning Burns or his case, and no mention was ever made by either Burns, Howard or me concerning any gratuity to be paid to the prison commission or to anybody else."

In connection with the foregoing rather full and complete statement of the Burns case by Attorney John F. Echols numerous documents and copies of letters from the attorney's office files were frequently used and exhibited. In many of the major respects, on which there were such records, they appear to fully bear out the details as set forth by Mr. Echols.

The next installment will deal with references Burns has made in his magazine story to Prison Commissioner Stanley's visit to Chicago; to the meetings with Chairman Redwine of the Campbell county board of commissioners, and to William S. Howard's connection with the case in behalf of the petition for clemency.

The Convict Stocks

On the front page of today's Telegraph there appears a picture taken at the direction of John W. Hammond, this newspaper's Atlanta correspondent. Mr. Hammond was assigned to investigate the truth of the charges made by Robert Elliott Burns, former magazine publisher of Chicago and now a fugitive from Georgia justice, appearing in the magazine True Detective Mysteries.

Burns made charges of graft and corruption against certain persons connected with the prison and convict system in Georgia. Mr. Hammond, by reference to audits wherever possible, has established to his satisfaction that Burns' charges of graft are wholly false.

But Burns made other charges against the convict system in Georgia. He charged brutality and "indescribable filth" were common to the convict camps. Prisoners, he charged in effect, are treated as human beings ought not to be treated anywhere or under any condition.

The picture which appears on the front page shows the stocks in use in many convict camps in Georgia, and at the state prison farm, for the punishment of refractory prisoners. The arms and legs are put through holes in boards and the prisoner is made to sit in that position as long as the warden cares to have him sit there.

If anyone doubts that stocks are a medieval instrument of torture, let him try to maintain the position without the stocks for five minutes at a time. In the stocks, prisoners have told The Telegraph, their legs and arms swell and their backs feel as if they were carrying the weight of the world. For Troup county, where this picture was made, with a civilian posing as a courtesy to The Telegraph, it is to be said that she maintains what is regarded by the State Board of Welfare as the best convict camp in Georgia.

No convict camp and no prison system which employs stocks can be regarded as ideal, however. Stocks ought to be outside the pale of civilized peoples. They belonged to the days of the Inquisition as the New England days of witchcraft trials and punishment. No state which pretends to have emerged from that era of brutality ought to tolerate them for a moment.

(Ed. Note—This is the fourth in a series of articles by John W. Hammond, The Telegraph's Atlanta correspondent, dealing with the charges by Robert E. Burns, fugitive from Georgia, that Georgia's convict camps are characterized by "indescribable filth and brutality" and that corruption touches its prison officials.)

By JOHN W. HAMMOND

Previously in this story the statement was made that the Burns matter is in the nature of two indictments against the State of Georgia. One of the early statements herein carries the expression from John F. Echols that "much of what Burns says is true" but that "a lot of it is lies."

There is now reached the approach to the second phase of the Burns matter, or the second indictment. That deals with the conditions pictured by Burns, as a convict, in the Georgia prison camps. From observation there is a great deal in what he has had to say about these conditions. In many respects he has heavily overdrawn the picture, but there is found enough foundation in fact to have afforded an active and imaginative mind abundant material to represent Georgia's convict camps, or chaingangs as "hell on earth."

Not only is the observation drawn from checking up on the Burns story, and from personal examination, but basically the condition of "hell on earth" under which convicts are handled in these camps and gangs is abundantly supported by the written declaration of collective members of the Georgia general assembly. The indictment Robert Elliott Burns has made in print of the Georgia "penitentiary" system is no stronger than the indictment made by Messrs Allen, Pilcher, Wall, Powell, Rivers, and others of the state senate and house of representatives.

Solons Write in Same Terms

Burns was writing of conditions in 1929. These gentlemen, in the discharge of their official duty, also were writing of the same conditions in 1929. Burns writes of filth, unsanitary horrors, and inhumanity. Senators and representatives, dealing in the same period of time, write in their official report of the same conditions, and use the same terms describing them.

It is that phase of the situation which, in completing an analysis of the Burns story, will have to be dealt with next.

In dealing with matters of prison conditions and prisoners, the office of the state prison commission is not a good place to expect to get cordial information.

A fair insight into the attitude of the prison commission is offered in an editorial recently published in Chairman E. L. Rainey's Dawson, (Ga.) newspaper, in which the chairman says:

"Public sentiment is always more likely to be on the side of the convicts than in sympathy with the officers in charge of penal institutions. The prisoner is the underdog; wardens and guards are sinister figures. The result is encouraging to prisoners. Mollycoddling of prisoners from outside penitentiary walls is one of the greatest menaces to discipline seen in the American prison system."

Information Hard to Get

The quotation from Mr. Rainey's editorial is used because of its reflection of the attitude of the state commission as a general proposition. There is overmuch of the atmosphere of belief on the part of the commission that anything pertaining to information for the public touching the operation of Georgia's penal institutions is none of the public's business. Conversations approaching these operations are almost universally met with an idea that the inquirer is entirely outside of any rights or proprieties, and, while there is no lack of personal cordiality, the subject matter of any interview directed toward the business of the prison system invariably is handled with a pronounced aloofness. Records and data in the prison commission offices are given somewhat an atmosphere of mystery. Where the matter sought has in it anything of specifically enlightening or intimate nature the cork-screw process has to be applied to get anywhere.

The personnel of the commission is high-typed; men probably above the average as men go, and, in every respect, they are cordial, affable and attractive gentlemen in personal contact. When matters reach an official nature there is a difference.

Touching the Burns case, an interview with one of the commissioners is impressive. Immediately Burns' publicataion of his alleged experiences in Georgia prisons was referred to there was a visible hardening, an open attitude of resentment on the part of the commissioner. Why should the Georgia Prison commission pay any attention to anything Burns had said? Why should anyone expect the prison commission to deny or comment on criticisms by him; he was "nothing but an escaped convict." There was no reason for anybody to pay any attention to the vaporings of an escaped convict. Therefore there was no reason for the prison commission to dignify his lies. In fact there had already been too much "public interference" in the case.

"One Mistake" Made

The Burns case, though, does not differ in this angle of the handling from others. Much the same thing is found in handling any other case or any other matter which leads into records or official information.

To say that Burns, properly and justly so, was merely "another convict" in all of the official transactions by and with the commission is correct. Nothing has been found which indicates his case was dealt with any differently from other cases. He was given neither a better nor a worse showing by the commission than any other convict. The only possible approach to anything at all out of the ordinary in connection with the Burns case, as compared with all other cases handled by the commission, is in the fact that a member of the commission took it upon himself to go to Chicago to bring Burns back to a county chain gang after Burns had been apprehended. That was unusual. The usual course in such cases

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is that the authorities of the county having a claim to the escaped man provide the officer to go get him, and bears the expenses. Examination shows that Campbell county provided two officers to go to Chicago for Burns, and paid their expenses. They failed because of institution of habeas corpus proceedings to get their man, and they came home. Later, when the Georgia requisition for Burns was honored by the Illinois governor, Campbell county provided the expense money, and Commissioner V. L. Stanley went to Chicago to get Burns, and brought him back.

There can be nothing exactly improper in that method of handling the matter of returning an escaped convict, but it was entirely outside of the practice and the customary way of handling such things. That one criticism has been referred to as "the one mistake made in the Burns matter" by the prison commission, and that reference appears to be correct. Otherwise, the Burns case has been just about as all similar cases are. There is something of a hard-boiled attitude by the comsion in a great many of these cases; most of them, in fact. Possibly dealing with penal institutions and criminals makes for that kind of thing.

4-8-31

Howard Cleared

More or less emphasis is laid by Burns in his magazine story on the element of intended political influence in handling his case. Some of that emphasis undoubtedly is exaggerated. For illustration, there was no justication for the reference to Attorney William S. Howard, who was regularly and properly employed to represent Burns in his application for clemency.

Mr. Howard has been a figure in political life in his home community and in his congressional district, and he was a member of the state executive committee, appointed from his home community. As a controlling figure in state politics, he never has been one. One time he made a state-wide race for a political office and failed of election. In his profession he is prominent and strong. He is an outstanding lawyer in the bar of the state. But, even then, he was selected to represent Burns, he did not seek the case and was a little reticent in taking it. So far as he is concerned nothing has been found in his handling of the case that differs one iota from the handling of any other case at law by a conscientious attorney.

The records of cases before the prison commission do show more or less of the element of politics nearly all the time in one respect—it is no unusual thing for members of the general assembly to practice in this clemency court. It is common today and has been very common as a practice for many years. It goes even further, in that there are other officials in the state capitol, not lawyers, who "represent" clients before the prison commission in applications for clemency. The records of course, do not show what fees are paid in such cases. That doesn't show in the records in any case. But the practice by office-holders, more largely members of the state senate and house of representatives, is a common one.

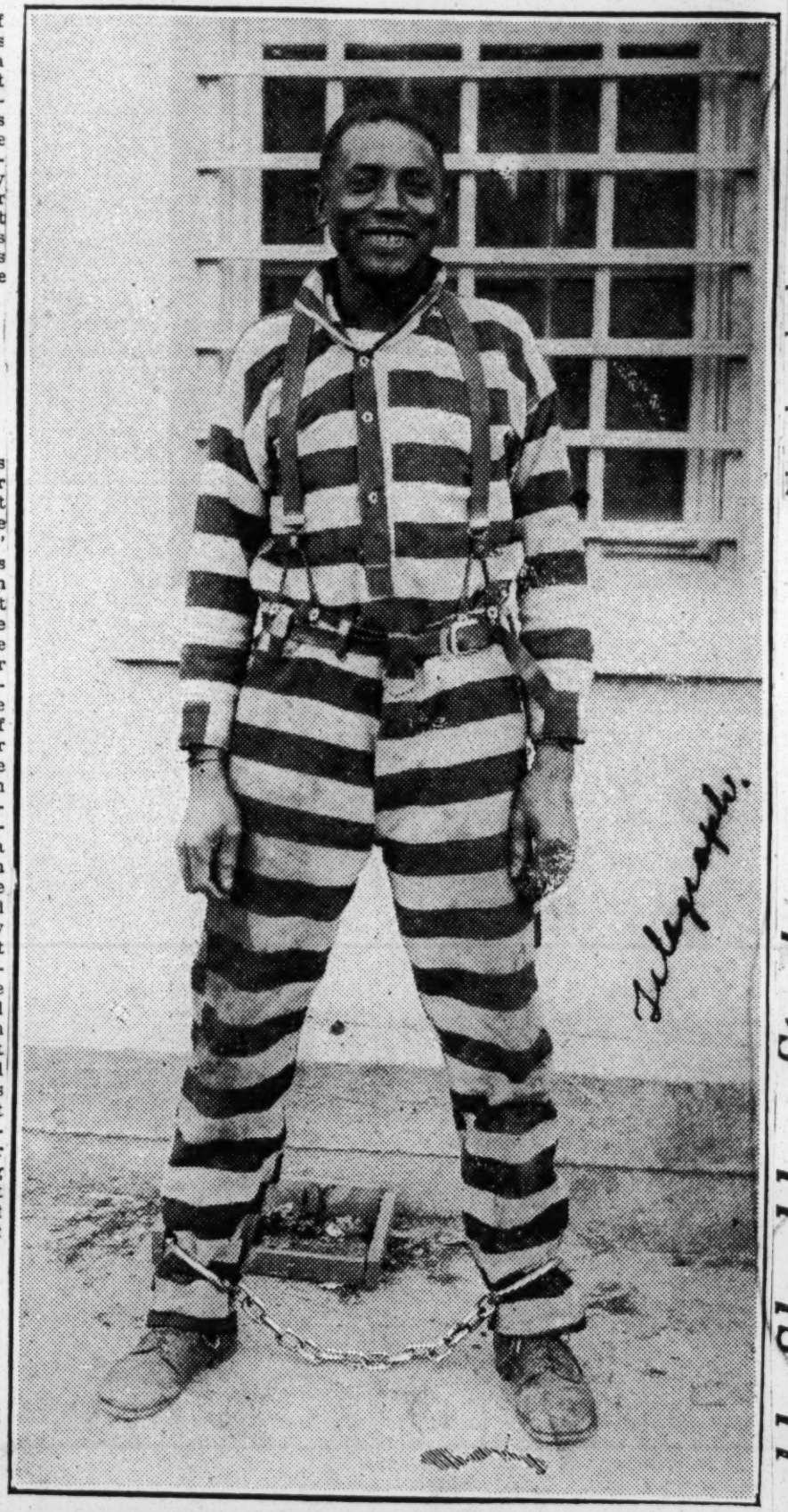
No Favoritism For Burns

Insofar as the Burns case itself is concerned the escaped convict's direct references to that board as a whole are mostly a complaint that his case was given no particular attention over other cases. That is stated to be entirely true by the chairman. Burns and his application for clemency, Chairman Rainey says, did not differ from any other prisoner's application, and did not impress him any differently. Burns complains that the hearing of his case was given just 30 minutes. He says:

"Thirty minutes! It would have been utterly impossible to have even casually glanced over the immense number of letters and affidavits and the court records from Chicago."

Maybe that is true. Whether his case was given 30 or 45 minutes or an hour, those things are ground out just as rapidly as possible by the prison commission on "hearing." There are always at least twice as many applications, or more, than can be heard in view of the fact that these hearings come only once a month, unless special sittings are arranged. It doesn't mean further attention is denied the file of documents by the commission. The more common practice is to hear a lot of the applications, stack the folder or envelope containing the record of the case aside, accumulate a big bunch of them, and then go over the records at leisure. Sometimes one member, then another will get into a batch of these cases and run through what the record shows. If the case is one of particular importance, and the applicant is represented by council, it is commonly found that members of the commission are pretty familiar with the record. In some of the cases the writer has discussed with one member of the commission or another minute details of what occurred in the trial, who signed recommendations, and so on, and has found a striking familiarity. It would be a matter of very great surprise, though, to find that a prisoner had had a case taken up for hearing on parole or pardon who did not have hired counsel. He is just out of luck if he is doing time and can't afford a lawyer.

Georgia's Convict Camps Shown as 'Hell on Earth'



Here is a prisoner of Troup county in double shackles, which were described by Burns as "instruments of torture." The double shackles

Double Shackles, Stocks Used in Troup Stockade

Officials Deny Instruments Used Frequently As Burns Reported; Prison Clean and Water Supply Plentiful; Camps in Fulton Feed Prisoners Well

(Ed. Note: This is the sixth story in a series of articles by John Hammond, The Telegraph's Atlanta correspondent, dealing with the charges of Robert E. Burns, fugitive from Georgia, that the state's convict camps are characterized by "indescribable filth and brutality," and that corruption touches its prison officials).

By JOHN W. HAMMOND

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Describing this form of shackling, Robert E. Burns, fugitive from Georgia justice, wrote: "the chains that the convicts wore were riveted to their ankles and were as much a part of their physical being as their arms or legs. The chains would drag on the ground and become caked with filth. When the convict stepped into the tub, the chain and its collection of grime went along with him."

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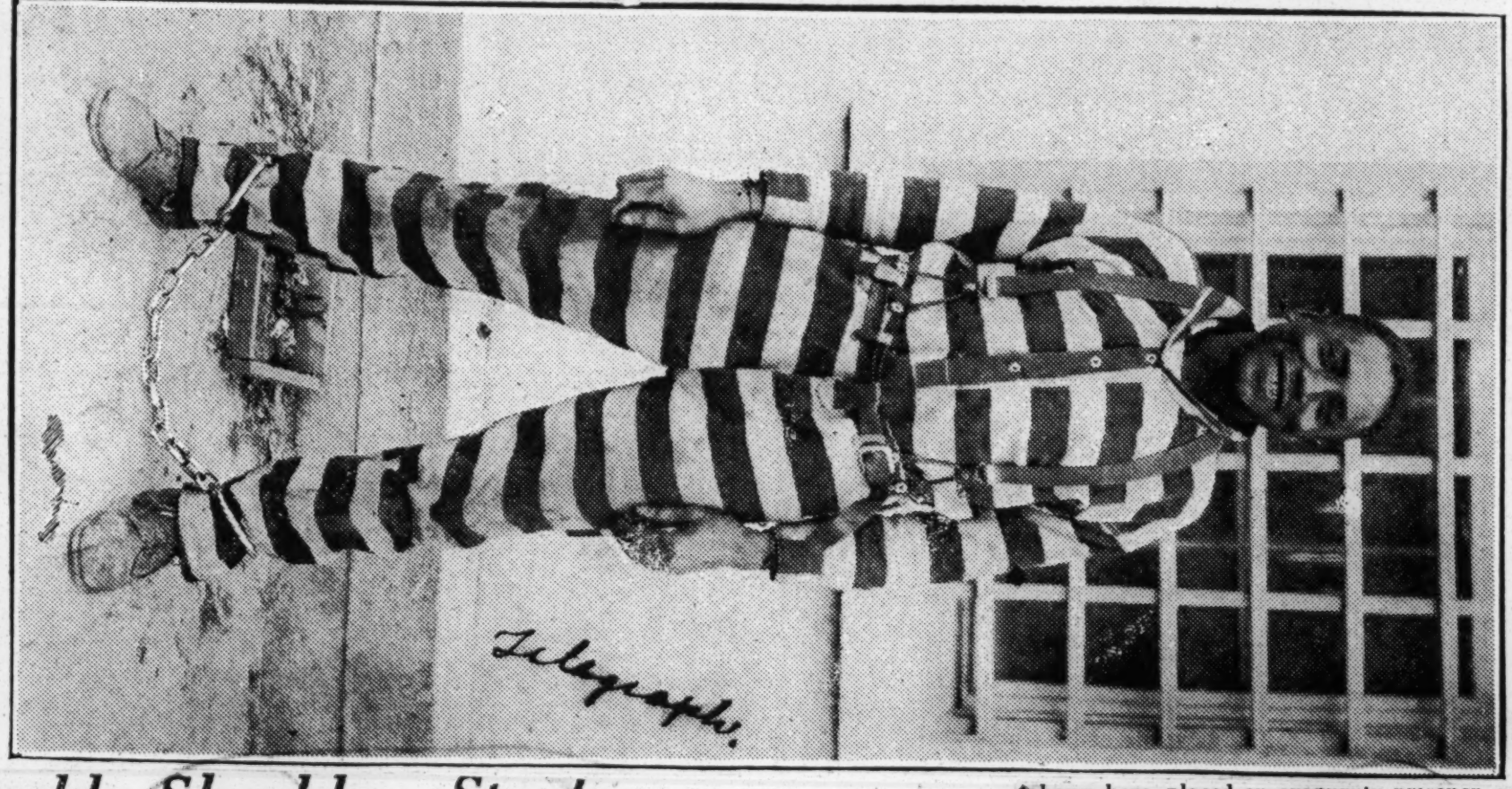

Here is a prisoner of Troup county in double shackles, which were described by Burns as "instruments of torture." The double shackles shown here, placed on an unruly prisoner, are in general use in convict camps of Georgia. Telegraph

Describing this form of shackling, Robert E. Burns, fugitive from Georgia justice, wrote: "the chains that the convicts wore were riveted to their ankles and were as much a part of their physical being as their arms or legs. The chains would drag on the ground and become caked with filth. When the convict stepped into the tub, the chain and its collection of grime went along with him."

Georgia's Convict Camps Shown as 'Hell on Earth'

Double Shackles, Stocks Used in Troup Stockade

Officials Deny Instruments Used Frequently As Burns Reported; Prison Clean and Water Supply Plentiful; Camps in Fulton Feed Prisoners Well

The Macon Telegraph, Dec. 14/10/31

(Ed. Note: This is the sixth in a series of articles by John Hammond, The Telegraph's Atlanta correspondent, dealing with the charges of Robert E. Burns, fugitive from Georgia, that the state's convict camps are characterized by "indescribable filth and brutality," and that corruption touches its prison officials).

By JOHN W. HAMMOND

Burns was transferred from Campbell to Troup county the evening June 29, 1929. Of it he says in his story:

"Upon arriving at the Troup county stockade I found conditions that were almost identical with those in Fulton and Campbell counties seven years ago. There was but one difference—they were worse."

An examination of the Troup county stockade, and some information about Burns' visit there will indicate why. Troup county stockade is one of those absolutely burglar-proof jails. The present plant was completed with convict labor in 1927 is the most modern and complete prison plant in the state of Georgia, next to the federal prison in Atlanta. But it is a prison. Built of reinforced concrete, the entire structure is absolutely fire-proof. It is abundantly large. There are in the prison now 79 Negroes and 22 white men.

There are five sections to the plant. The front consists of an entrance and two wings. In one w the warden, Captain Hardy. The other is occupied by guar main section is a two-dec or two stories with one The lower deck or floor h by a heavy concrete wall in t ter. One side is equipped as a mess ter. One side is equipped as a mess larly equipped for Negroes. Above, or the second deck, on the respective sides, are located the sleeping quarters. These are in the shape of long rooms with narrow windows running well up to the ceiling, and very close together. The ventilation is really the last word in jail structure science. There are 17 shower baths, and, although Burns said there was nowhere for prisoners to wash off the dirt after a day's work, long porcelain sinks numerously supplied with faucets run the entire

way across one end of the lower floor.

Compared to Inquisition

Burns described the horrors of punishment in Troup county by likening the machines of torture to the Spanish inquisition.

"In place of the lash," he says, "which I already have explained was abolished in 1923 by executive order of Governor Walker, an ancient barbaric and mediaeval instrument of torture has been introduced. This was the stocks, invented in the days of the Spanish inquisition."

Burns is right about the stocks being in the Troup county prison, even if he did miscue as to abolition of the lash. That order was issued by Governor Thomas W Hardwick in 1923. Telegraph

One can easily imagine the stocks to be a little machine of hellish torture, but this part of Burns' story is not borne out by the officials, wherein Burns says:

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"Almost every night when we would return to the stockade after 13 hours of heart-breaking toil, three or four of the convicts would be introduced to the 'jack,' for no other reason than that they did not work hard enough to suit the whim of some illiterate and ignorant guard."

Macon, Ga.

No prisoners were in the prison at the time this machine of torture was inspected, along with the balance of the model prison plant. But Captain Rakestraw, who is in charge of the prison plant in the daytime, is authority for the information that "the jack" is never used more than "once or twice a month." The count given by Burns is "an average of six punishments weekly as I have described."

Water Plentiful

There is a complete loss to understand why the escaped convict should have slighted the bathing opportunities, and declared it was impossible for prisoners to bathe more than once a week, and then "in a bucket full of water." The Troup camp is equipped with a water system, supplied from am immense artesian well topped by a great water-tower tank on a hill opposite the prison plant and affording a pressure of around 40 pounds.

There was and is present that custom of double-shackling prisoners. An illustration of a Troup county prisoner wearing the double chains already has been published in this newspaper. It likewise is true that, once the double shackles are riveted to the ankles of a prisoner they remain there for a long time. Trusties do not wear them, and the point is to make it worthwhile for a prisoner to win the right to become a trusty. Burns did that, and, according to the officials, didn't appreciate it. In this stockade none of the prisoners have a ring riveted around their necks, as he stated for the simple reason that there would be no reason for it—not any more than a reason for the gruesomely described "night chains."

A prisoner could be freed in the sleeping quarters of the Troup county prison and given a hammer and cold chisel and he couldn't get away. He would have plenty of room and abundant fresh air, but he couldn't get to freedom.

Burns Did Not Use Shovel

Burns never worked in the soil pit swinging a shovel to the time set by a Negro convict, as he describes, according to the prison authorities. They do make the convicts hit it off at a pace, and they admit it. In fact, while these words were not used, the policy of the prison in that county seems to be: Feed 'em well, keep 'em clean, and work 'em like hell. Burns drove a pair of mules to a scrape a couple of days, but he didn't pitch dirt at the rate of 16 shovels a minute. He was a water-boy. That's one of the best jobs around the chaingang; rated even better than driving a truck. It was the way Burns got away. Any of them who get away in Troup do it in the daytime while the gang is working on the road, for once in the stockade there's no chance.

Before Burns got to be a water-boy, he was used to "set stakes" in the grading of the highway which has been paved. Information is that he did that pretty well, and made no complaint about it. In August, 1929, when he says in his story he was "keeping the lick in the soil pit" he was toting water to the men who were slinging the dirt.

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Burns' introduction to prison life in Georgia, where he was entered under an "alias," was at the largest of the seven general prison camps in Fulton county, known as "Bellwood."

This institution is not of the modern prison variety, in that it consists of a type of prison plant buildings entirely of wood construction, and with what is now treated as an obsolete system of heating—old-fashioned coal stoves. Its equipment in detail, though, is much superior to even the "state farm" near Milledgeville.

Whatever there is of the "hard boiled" at this prison—the headquarters for all the Fulton county camps—is very readily found in any prisoner's resentment of system, discipline and a consistent regularity of manual labor. For they have all of that. Otherwise, the camp is sanitary; thoroughly systematized, and, as the head of the prison system in this county, has as its directing authority a man who holds a record of never having had but one job in his lifetime. A. A. Clark, the warden of Fulton county, has been in the business 33 years and impressed the writer as having one outstanding characteristic, the ability to size up human nature in a hurry.

Sweat Boxes Discarded

Clark talked readily of the old days of the "leather" when the "whipping boss" was the dread if not the hate of all unruly prisoners. He admitted that in some of his camps there used to be in use some of the so-called "sweat boxes," but he says they were discarded because they were not desirable or effective, and in some respects were dangerous. All the camps in Fulton county are equipped with the famous "stocks"—the same type as shown in the illustration already printed in The Telegraph from the Troup county stockade—and in every instance they are located at one end of the "mess hall," respectively for white and black. Warden Clark, who appeared to be much more a business man than a hardened prison boss, says it is not true that men ever are kept in the stocks until they faint. "The rules limit the time a man may be kept in the stock to one hour. Of course, we sometimes have to put a man back in after he has had an hour of it, but that is only when he is unruly, stubborn or we are unable to control his profanity.

"The only other punishment we have in use in this county," said the warden, "is confinement and taking away privileges. An allowance is made by the state prison rules of four days each month for what is known as 'good time.' When a prisoner becomes unruly, is causing trouble, or can't be handled by the ordinary discipline of the camp, we deprive him of 'privileges.' That is, we do not allow him on the outside with the other prisoners on Sunday; we do not let his relatives or friends visit him Sunday; or, when the case is worse, we apply the deprivation of privileges and mark off his 'good time' allowance for that period at the rate or one day, two days, or the full four days, according to the case. We can deprive them of 'good time' only as it applies to the month in which the infraction occurs. All of these have to be promptly reported to the state prison commission.

Cornbread Causes Trouble

"Some time ago I had an experience in which 50 men refused to come out at the morning call to go to work. They had gotten mad because they were given cornbread that morning for breakfast.

(Note—A personal examination was made of the kind of food served and it was found to consist of just about what the average family in ordinarily good circumstances has on his table, and well prepared.)

"I went in among the men," the warden said "and very firmly told them it would mean loss of all their 'good time,' loss of all privileges; that I would think a little about taking away all their tobacco for 30 days, and if they wanted to get mean they could think how lonesome it would be without mail, without visitors, without yard freedom for a month or more in addition. But, I told them, any man who didn't want to stand that could step out in the yard and get ready for work. I didn't say a word to them about stocks, but when I turned to leave the building every man of the 50 had gone into the yard."

The total number of men at "Bellwood" on the occasion of this visit was in the neighborhood of 400. In the whole county prison system there were 974 on this date, and the record showed seven men in the hospital, two of these being assigned to the hospital for duty. A similar situation was found at the "River camp," which is similar to "Bellwood," though much smaller.

Reverting to that which directly connects Burns, it was found in the records at "Bellwood" that Burns was received March 14, 1922, at that camp and enrolled as "Elliott Burns, alias Louis Wilson." On the same day were received at the same camp the two men who had been convicted with Burns for the same robbery—Flegg and Moore. Burns had a sentence of eight to 12 years, as did Moore. Flegg had from 15 to 20 years.

Robbers Watched Closely

It is well to bear this fact in mind, in consideration of the Burns publication—prison authorities look upon convicts sent up for "robbery" as the type of men to be watched. They are in a different class in prison psychology from "bootleggers."

Not one prisoner was found in either Bellwood or River camp in chains. The camp authorities, however, admit that a few of the men do have on single shackles, but none of them the double shackles Burns writes about. Five convict gangs were passed in various parts of the county, and it was rather rare that chains were seen on them at all. A few did have a chain around one leg.

It is true that there is in the Fulton camps the "house chain," which Burns referred to. That is similar to the contraption described at the Campbell county make-shift camp. In these instances it is a larger chain, arranged so as to run from one end of the sleeping room to the other, and is fastened on the outside with a padlock. The "house chain" does pass through a ring on the end of the prisoner's chain, but Capt. Clark says out of 400 men only 40 men are being attached to the "house chain," at night. The use of the chains is, he says, a matter of discipline even more than of safety. And it seems that feature of it is likely, for there is really little chance to get away from these places once a man is on the inside. However, the warden says, in time three or four men have escaped through the ventilation flues in the roof, and once by cutting through the floor under the cots.

Burns Exaggerated

The sleeping facilities are not as bad as Burns described them. They are by no means wholesome or attractive, and in one of the sleeping rooms at the larger camp they were not what would be called entirely clean. Too much water is used for much chance of vermin, though. The place is scoured until the scouring does more to wear out the boards than other uses of them.

10/31

At all the Fulton camps visited the food seems to be abundant, wholesome, in good variety and pretty well prepared. That's psychology too. Men who are well fed work best, of course—and they sure do work 'em in this county.

The records are that Burns was at the Bellwood camp only a few days. He was in Fulton county as a whole only about two and a half or three months. He was transferred from Bellwood to Sandy Springs camp, of which he so severely complained in his magazine story.

Sandy Springs is by no means the approach to a proper prison that Bellwood is. The type of buildings is the same, and the system of handling men is the same. It is smaller and not as well kept. Its location is not as well adapted to its purposes. Apparently, this is one of the camps where the authorities, while following the state and county rules pretty generally, get just as much as they can out of the prisoners in labor. The hours, though, are not as long as Burns stated. The get-up time is sunup. There are fair facilities for washing, but not adequate; not as good as at the two other camps mentioned. It is possible, though, for prisoners to get a shower bath every night if they want to, and they are made to take one twice a week whether they want it or not. That feature of Burns' story, therefore, does not pan out.

Fulton Works Women

It was from this camp Burns was taken, in 1922, to the Campbell county camp, from which he escaped.

There are, in reality, eight prison camps in Fulton. Seven for male prisoners, and one for women. And, by the way, Fulton county is probably the only county in the world where women are worked in convict gang methods on the roads. This is not regularly done, but the gang of women has been seen, personally, engaged on the roads on the northside—they do some shoveling, chop weeds and underbrush, etc., from the roadside, and that class of work. They do not, of course, engage in any form of road construction.

Mostly the women prisoners—they are all misdemeanors, and the camp catches only prisoners from Fulton county—are occupied in vegetable field work, in service about the white poor house and the Negro poor house. But, just the same, there is a woman gang of convicts in Fulton, and sometimes they are put on road work.

What is known as North camp and West camp are also among the lesser equipped camps in the county, as compares with Bellwood. They are much poorer in choice of location and in upkeep; they are far from a fair comparison as to yards, surroundings, etc. In fact, they more nearly approach those camps commonly seen in the small counties where progress has been sufficient to get away from the old "cages" and erect permanent buildings. That, on the whole, is the real trouble and shame of the whole prison system in Georgia—in the smaller counties.

Burns Overdrew Picture

Counties like Fulton are, on the whole, not the "hell on earth" Burns has pictured, and certainly that is not true of camps like the one in Troup or in Muscogee. Even Fayette county, and probably Monroe, are not as bad at all as his magazine story pictured. More than a third of the so-called chaingang camps in the state are of a type that ought not exist. One of the excuses is that the use of these make-shift "cages" are "healthy and open," but there are no really liveable facilities among many of them.

A great deal of stress is laid on the fact that the state prison system provides "inspectors" who regularly visit every camp in the state; that they "make reports" of the varying camp conditions, and for this reason the county prison authorities are "checked up." In theory, that is all right, but in point of fact the best of the "inspection" system in Georgia is that part of it which is performed by the members of the prison commission themselves—they has been viewed by a committee of legislature who visited some of the camps and found reason, to their visit the camps of the state twice a year.

Later on reference will be made to the manner in which some of the system of inspection by "inspectors"

Crime - 1931

Georgia

Unnecessary Cruelty

Telegraph

Further reflection upon the case of Dr. M. C. Mitchell, the Negro doctor who served 10 years for the alleged killing of his nephew was paroled the day before Christmas, only to be re-arrested on a forgery charge growing out of the murder charge, only increases the conviction that it is unnecessary cruelty to continue to imprison him on a minor charge after the major charge has been forgiven by the state.

Macon, Ga

Dr. Mitchell was sentenced for the alleged poisoning of his nephew. The nephew was an orphan boy whom he reared. Dr. Mitchell had taken good care of him and had shown an affection for him He claimed that the boy fell against a stove in his drug store and died of burns. When he tried to collect the insurance, the claim was resisted and evidence submitted to prove that Dr. Mitchell had poisoned his nephew.

12-27-31

The jury impeached its own verdict by finding him guilty and recommending mercy. That verdict indicated the jury was not clear in its conviction of guilt. If Dr. Mitchell were guilty, it was a cold-blooded case of murder and he ought to have hanged. The fact that he didn't indicates a clear doubt on the part of the jury. Dr. Mitchell has succeeded in convincing a great many other persons that he did not commit the crime. He has succeeded in convincing others that, even if he were guilty of it, he has expiated and that he ought now to be free.

His record in the penitentiary was good. He has been an angel of mercy to many of the sick and the suffering. He has demonstrated by every standard by which a convict may be measured that he is worthy of a place in society again. He has fulfilled the expectation under which the state punishes men: he has demonstrated that he is fit to be restored to society.

The major crime was forgiven in the governor's parole. To dig up a minor crime and force him to serve under that is to hound him, to resort to brutality which nobody will approve. It is to be hoped that when the prison commission receives the application for parole it will grant it.

NEGRO PHYSICIAN HELD TO SERVE OLD TERM

Constitution

12-25-31

MILLEDGEVILLE, Ga., Dec. 24. (AP)—Lucia Mitchell, wife of Dr. M. C. Mitchell, negro, came to the state prison farm today with the parole granted her husband by Governor Russell and was told Dr. Mitchell would be held on request of the sheriff of Macon county. Sheriff Jolley, of Macon county, informed Superintendent B. H. Dunaway, of the prison farm, that he would come for the negro physician Christmas morning.

Dr. Mitchell was convicted of forgery in Macon county and sentenced to serve one year or pay a fine of $1.000. Dr. Mitchell was given a parole on the life term sentence resulting from conviction for killing a negro boy, Sam Mitchell, his nephew, in Macon, Ga., nine years ago.

Solicitor Hollis Fort, of Americus, said he would investigate the forgery conviction. Solicitor Charles H. Garrett, of the Macon circuit, told prison officials that Dr. Mitchell was convicted of forgery of insurance papers on the life of his nephew.

Prisoner Disappointed

MILLEDGEVILLE, Ga., Dec. 25 Dr. M. Clarence Mitchell was a disappointed man when he was turned over to Sheriff W. T. Jolly of Macon county here this afternoon.

Telegraph

"Dr. Mitchell has been a trusty ever since he has been at the state farm, nine years," said Supt. B. H. Dunaway to Sheriff Jolly, in delivering the Negro physician to the Macon county officer. "You do not need handcuffs on him. In fact if you should turn him loose and tell him to show up at Oglethorpe, he would be there—I have that confidence in him."

12-26-31

Macon, Ga

The sheriff placed no handcuffs on the Negro and the two rode away in the sheriff's automobile, leaving here at 12:30 p.m. It was a three hours' ride to Oglethorpe, the county seat of Macon county.

Last night Dr. Mitchell's wife came here with the parole signed by the governor. When informed that there was another charge against her husband and that he could not gain his freedom quite yet, the woman broke down and cried.

Telegraph

12-26-31

"I had been so happy over the thought of having him home for Christmas," she said.

Mitchell's wife obtained all of her husband's books and personal effects and went back to Macon. She said that she had not given up the light to obtain the release of her husband."

PAROLED NEGRO TAKEN TO SERVE OLD TERM

Constitution

12-26-31

Dr. Clarence Mitchell Moved to Macon County on Forgery Count.

Atlanta, Ga.

OGLETHORPE, Ga., Dec. 25.—(AP) Dr. M. Clarence Mitchell, negro physician paroled by Governor Russell, was returned here today by Sheriff W. T. Jolly, of Macon county, to serve a sentence of a year on the chain-gang, or pay a fine of $1.000 Sheriff Jolly says was imposed 10 years ago following the negro's conviction on a forgery charge.

The sheriff left the state prison farm at Milledgeville shortly after noon today. In delivering the prisoner to the sheriff, Judge B. H. Dunaway, superintendent of the prison farm, said "Dr. Mitchell has been a trusty ever since he has been at the state farm. You do not need handcuffs on him." Sheriff Jolly drove away without handcuffing his prisoner.

Dr. Mitchell's sentence on the forgery charge was superseded by his conviction on a charge of murdering his nephew, Sam Mitchell, in what the state charged was an attempt to collect insurance he had on Mitchell's life. He was serving a life term when Governor Russell paroled him.

Last night Dr. Mitchell's wife went to the prison farm with the parole papers, but did not obtain his release. She took his books and personal effects and went back to Macon.

The forgery charge was in connection with the insurance papers on Sam Mitchell. He was convicted on the forgery charge before being tried on the murder charge. Lawyers for the negro physician said they did not know about the old case or they would have included it in the request for the parole. White friends of the physician tonight were considering asking Governor Russell to grant a parole on the forgery conviction.

CONDEMNED SLAYER IS DENIED NEW TRIAL

Constitution

12-16-31

MACON, Ga., Dec. 15.—Judge Malcolm D. Jones, of the Macon circuit, today refused to grant an extraordinary motion for new trial brought on behalf of Albert Jackson, negro, under sentence of death for the slaying of Mr. and Mrs. Green Hartley in Peach county more than a year ago.

Atlanta, Ga.

The motion was brought by the negro's counsel, complaining that a confession which Jackson is alleged to have made was not his own story, but one which was written by a negro named "Shorty" Anderson, now in a state chain gang camp. Jackson said he memorized the statement on Anderson's promise, alleged to have been relayed to him through a Peach county officer, that he (Jackson) would get off light.

MITCHELL FACES 12-MONTHS TERM

Telegraph

Request to Hold Negro Reaches Prison With Parole

12-25-31

SENTENCED FOR FORGERY

Macon, Ga.

Lucia Mitchell, wife of Dr. M. Clarence Mitchell, Negro physician arrived at the state prison farm at Milledgeville at 9 o'clock last night with a parole for her husband, who was serving a life term for murder.

At almost the same time Sheriff Jolley, of Macon county, informed Supt. B. H. Dunaway that he wanted Dr. Mitchell on an old case from that county, and asked that Mitchell be detained until he could arrive there this morning.

The officer's request will be observed, Superintendent Dunaway said.

Failure to obtain the release of Dr. Mitchell was a keen disappointment to the Macon Negress and also to her husband.

The Macon county conviction was on a charge of forgery. Court officials said the physician was found guilty of forging the name of a Montezuma physician to an application for insurance on the life of the nephew.

Governor Russell Wednesday paroled Dr. Mitchell on the life term. He learned yesterday, however, that the conviction in Macon county still was pending. He expressed surprise at the news, and said that no record of the forgery case had come to him in the parole proceedings.

Case Unfamiliar

Solicitor Hollis Fort, of Americus, said last night that he would lodge commitment papers with prison authorities. He said he was entirely unfamiliar with the case, tried nearly 10 years before he assumed office, but if he is wanted in Macon county, within his jurisdiction, he will ask that he be detained.

Solicitor Charles H. Garrett, of the Macon circuit, who prosecuted Mitchell in the murder case, notified officials of the Macon county conviction, but said last night that he had no further interest in the matter. In addition to the 12 months' sentence, Mitchell was fined $1,000 in the Macon county case.

The nephew was employed here in Dr. Mitchell's drug store. The physician claimed that death was due to burns, but an examination of the body, exhumed a year after death, showed traces of poison, it was shown. Dr. Mitchell or members of his family were beneficiaries in several polices of insurance on the life of Henry Samuel Mitchell.

HOMICIDE TOLL HERE SET AT 183

Constitution

12-27-31

One hundred and eighty-three Atlanta persons were killed in homicides, including 43 who ended their own lives in 1931, a survey made by William H. Edwards, Jr., chief sanitary engineer and statistician of the city health department revealed Saturday. Of this number 145 were negroes. Thirty-nine white persons were listed as suicides.

In 1930, the list showed, there were 197 homicides, of which 48 were suicides.

Automobile accidents claimed a majority of victims, 90 having died from injuries received in motor crashes. Not one person received fatal injuries in street car accidents, the report showed.

NEGRO PHYSICIAN GOES FROM FARM

Telegraph

Dr. M. C. Mitchell Now Prisoner in Macon County

12-26-31

HELD ON OLD CONVICTION

OGLETHORPE, Ga., Dec. 25.—Dr M. Clarence Mitchell, Negro physician who failed to get out of the state prison at Milledgeville last night, on a parole signed by Governor Richard B. Russell, Jr., arrived here late this afternoon in custody of Sheriff W. T. Jolly. The sheriff says that a court sentence of a year on the chaingang or a fine of $1,000 imposed in Macon County Superior court 10 years ago, prior to Dr. Mitchell's trial for murder in Bibb county, has never been satisfied. Dr. Mitchell was serving a life term in the state prison for slaying his nephew, Sam Mitchell, the state contending that approximately $40,000 in insurance was involved, $10,000 of which was Government War Risk insurance.

The next step in the case apparently will be up to the state prison commission, which will be asked to assign him to a convict camp.

Macon, Ga.

The prison commission had twice recommended Dr. Mitchell for parole in the murder case.

It became known tonight that a movement among white friends of the Negro physician, who include some of the best known people of middle Georgia, is under way to have the governor grant a parole in the Macon county case.

Lawyers for Dr. Mitchell professed to know notsing about the old case pending against Dr. Mitchell in Macon county, or that would have been included in the request to the governor for parole, it was stated tonight.

Parole for Dr. Mitchell

Having granted Dr. M. C. Mitchell, the Negro doctor of Macon, a parole from the life imprisonment which he was serving, the governor ought now to go on and parole him from the sentence of one year on a forgery charge from Macon county.

It is an odd circumstance that nobody, except officers, was apparently aware of the forgery charge against Dr. Mitchell. There was no record of it in the papers that went to the governor. Apparently there was no record of it at the state prison. However, both the murder charge and the forgery charge grew out of the death of Dr. Mitchell's nephew. Dr. Mitchell has never for an instant ceased to contend that he was innocent of the charge. Whether innocent or guilty, he has served ten years. The state has forgiven him and the governor intended to restore him to society.

No great harm would be done society if the governor paroled him on the forgery charge. Indeed, to forgive him the major charge and force him to serve an additional year on a minor charge is to practice cruelty. The people of the state are satisfied with the penalty Dr. Mitchell has paid, even if he were guilty. There is no reason why he should be called upon for an additional day's service in jail.

FROM A PRISONER

To the Editor of The Telegraph:

Will you please allow me a little space in your good paper?

I am a white boy nineteen years of age. I am in jail with a terrible dose hanging over my head. I will ask you or anybody to come to the jail and count the Negroes who are in jail for burglarizing or larceny and count the white people. You will find three or four Negroes to every white person. Why? Because they are treated by the judges as human. I had made up my mind to go down and plead guilty like a man and save the county the expense of paying a lawyer and paying other expenses for trying me, and thought I would go and make my time like a man and come home and go to work and be a good boy and make an honest living. But what can the judge expect of me now? I have the same as a life sentence—20 years. Forty-five years is an average life. I will be nearly 40 when I get out. What can people expect of Aubrey Smith with 145 years, to make nothing only run away and steal and hold up people every time he gets a chance? It is enough to make me do the same. To make a notorious bandit or hold up, or probably a murderer, whereas if the judge had had a heart and dealt with me as they do with Negroes, what a different man it would have made out of me. It is hard for a boy of my age to know he must be shut off from the world for practically all his life. It has broken up the guilty pleas for lots of prisoners. I was talking to a lady Christian worker. I wanted to pray and asked her to pray for me. But now, what do I care? I don't care now if the whole world sinks tonight. There is no more pleasure here for me.

CHARLIE CROUSBY.

Crime-1931

Georgia

Officers Use Black-Face Disguise To Seize 20 on Liquor Charges

STATESBORO, Ga., March 26.—(AP)—The black-faced individual with a minstrel show accent who asks to buy a pint of "cawn juice" may not be a negro after all.

He may be a white policeman with a veneer of burnt cork who is out looking for evidence with marked money. Constitution

More than 20 alleged prohibition law violators who became careless learned this truism to their sorrow, county officers boasted Thursday.

The officers announced they had completed the largest liquor roundup in the history of prohibition in this county. More than 20 defendants, black and white, have been named, and officials say they have warrants for about 15 in all. Atlanta, Ga.

At the same time, officials revealed that something new in the way of prohibition strategy had been tried with success.

Early in February officers using a negro disguise began their roundup, entering homes, stores, filling stations and other places. In most instances they succeeded in purchasing liquor, it was announced.

The campaign was to have continued, officers admitted, but the secret of their disguise "leaked out" and spoiled their plans.

At present the liquor business in and about Statesboro is suffering from a decided depression, officers say, and a negro has an especially hard time getting his Saturday night drink.

Preliminary hearings already are under way, two having been held Wednesday. Some of the defendants have entered pleas of guilty, others have posted bond, while several are in jail.

JURY WILL PROBE POLICE METHODS

Constitution

3-19-31

Hudson To Ask Committee To Look Into Charges of Mistreatment

Atlanta, Ga.

Grand jury investigation of alleged police third degree methods was promised Wednesday when Assistant Solicitor-General John H. Hudson said he would ask the grand jury Friday to appoint a committee to look into the reported practice of officers in beating and frightening negro prisoners in an effort to obtain confessions.

While he does not believe that such methods are employed by the police, he desires the grand jury to go into the matter, and either break up the practice, if it exists, or else absolve the officers from criticism, Hudson said. His announcement of the proposed investigation followed the charge by a negro defendant in court Tuesday that police sat him in an "electric chair" in an effort to make him confess and the statement of another negro defendant that a co-defendant had been beaten by officers and he was promised the same treatment unless the told the truth.

Chief of Police James L. Beavers and Assistant Chief A. Lamar Poole, in charge of detectives, Wednesday denied knowledge of existence of an "electric chair" at police headquarters where confessions are wrested from suspects.

"I never heard of such a thing in my life in connection with the Atlanta police department," Beavers declared. "It is my idea that no such procedure was ever used in Atlanta."

"There is nothing to the charge," Poole stated. "If such a chair was in use in the Atlanta department, I would know about it. I never heard of such proceedings, and am sure that none of the detectives ever used such methods. I have always frowned on extorted confessions, and still do. If we cannot get information by questioning, I am not willing to further and permit any prisoner be mistreated."

THIRD INSTALLMENT

(Ed. Note—This is the third of a series of articles dealing with the charges made against the Georgia prison system by Robert Elliott Burns, fugitive from Georgia justice.

Burns charged corruption to prison officials and conditions of "indescribable filth and brutality" to the system.)

By JOHN W. HAMMOND

Particular emphasis is laid by Burns in his story on the check given to Chairman F. H. Redwine, of the Campbell County Board of Commissioners. The inference in the Burns story is that this payment by him was somewhat under pressure, and the money not properly used. The magazine story carries a photographic reproduction of the check and its endorsement. There also is printed a photographic reproduction of a letter to Burns from the City State Bank of Chicago, under date Oct. 18, 1929, in which this is said: "In accordance with your request we are enclosing herewith cancelled checks and statements in our possession, including your check No. 12, dated June 26, 1929, for $350 made payable to Chairman Redwine, county commissioner, Campbell county, Georgia, and was endorsed by him and cashed at the Fourth National Bank, Atlanta, Ga., on June 28."

In dealing with this transaction it is well to bear in mind the portion of the Chicago bank's letter, as quoted, and to make comparison with the printed declaration by Burns touching this check. In the magazine Burns says:

"The check made payable to Chairman Redwine was never deposited into the account of the Georgia state treasury, but was endorsed and cashed by him at the Fourth National Bank, Atlanta, Ga., ON THE SAME AFTERNOON HE RECEIVED IT. Where the money finally went is still a mystery."

Statements In Error

Obviously Burns garnered a part of the information on which he based that statement from the letter from the Chicago bank, wherein the information is given him by the bank that the check was "endorsed and cashed by him at the Fourth National Bank, Atlanta, Ga." The addition by Burns that the check was cashed "on the same afternoon that he received it" is a gratuitous assertion, and is refuted by the Chicago bank letter which Burns had when he wrote his story. That letter says the check was cashed "on June 28," and the printed reproduction of the check itself and Burns' statement in print both show it to have been received by Chairman Redwine the afternoon of June 26, 1929.

The declarations by Burns, and the statement by the City State bank of Chicago both are untrue. The bank and Burns both failed to state, although they printed reproduction of the Redwine check shows it to be true, that Chairman Redwine did not cash the check at all; that he endorsed it over to B. F. Jones, clerk of the board of commisssioners of Campbell county. They both misstate facts as to the check being cashed at an Atlanta bank, when in point of fact the records, which have been examined, show that the check was deposited in the bank of the Fairburn Banking company, in Fairburn, Ga., the forenoon of June 27, was passed to and cleared through Fourth National bank in Atlanta, the correspondent bank of the Fairburn institution, on June 28, and by them passed for Chicago payment, or two days after it had been given by Burns to Chairman Redwine in the office of Attorney William S. Howard. 4-7-31

Audit Shows Expenses

There has also been exhibited to the writer an audit made of the affairs of Campbell county by the firm of Respes and Respes, well-known public accountants, and in that appears a minutely detailed expense account of Chairman Redwine and Chief of Police Bentley, of Fairburn, both of whom went to Chicago to get Burns and failed. It shows in detail, also, the payment by Clerk Jones of $414 of the county funds to Chairman Redwine for use in the efforts to recover Burns and the reimbursement of that amount into the county funds by Chairman Redwine. Macon, Ga.

This audit is a public document and was available at the time Burns wrote his story.

With this preamble, the story of Burns and his financial arrangements so far as they apply to Campbell county, as told by Chairman F. H. Redwine, as follows:

"In 1929, I think it was about the first of June, Mr. Stanley, of the prison commisssion, telephone me Burns had been caught in Chicago, and had stated he was willing to come back to Georgia without extradition. Burns had escaped from the camp in this county, and it was for that reason Mr. Stanley telephoned me.

"Mr. Bentley, our chief of police, and I went to Chicago to get Burns, having the impression from Mr. Stanley's conversation that he would be ready to come back with us. Because of that information we had no extradition papers. When we reached Chicago, Burns decided he would not come, but would make a fight against extradition. Burns had been apprehended, and was put under a bond of $5,000. We came back home.

Check Given Voluntarily

"In about two or three weeks Mr. Stanley called me on the telephone again and said the governor of Illinois had finally honored the requisition of the governor of Georgia for Burns and asked me to arrange to send and get the man. I didn't go. I took $300 to Atlanta, turned it over to Mr. Stanley and asked that he arrange to have someone go for Burns. I later gave Mr. Stanley $250 more, making a total of $550 in all which had been provided to cover the expense of getting Burns back to Georgia and into our camp. All of the money was not used, and the unexpended portion of it was handed back to me by Mr. Stanley and reimbursed into the county funds.

"Mr. Stanley went to Chicago himself, and a few days later, probably two or three days, I had a telegram from Mr. Stanley saying he and Burns were on the way back to Georgia. I think the telegram was sent by him from Cincinnati. I went to Atlanta at the time they were to arrive. I met Mr. Stanley and Burns in the office of Mr. William S. Howard. That was the next day after the telegram came. In the conversation in Mr. Howard's office Mr. Stanley told me Burns wanted to pay up the cost of bringing him back to Georgia and square himself. Burns was present at the time. He approved what Mr. Stanley said, and the check for $350 was handed to me. It was clearly understood this check was to cover the expenses incurred on two trips to Chicago; the first by Chief Bentley and myself, and the second by Mr. Stanley. I brought the check back with me, endorsed it and Mr. Jones, the clerk, also endorsed it and the check was passed through the Fairburn Banking company along with the county account.

Stanley Returned $411

"The $414 shown in the audit by Respes and Respes is what was involved in this transaction, the amount being returned by Mr. Stanley to me as being unexpended by him, and also being involved in that transaction, made up the total of $550 which I have referred to.

"When I met Burns in Mr. Howard's office he was absolutely free under no restraint whatever. It was understood that I should go back there at 3 o'clock the same afternoon, get Burns and bring him here. I did so, we went on to the Campbell county camp and I turned him over to the warden."

Asked about the reputed visits of the Salo girl to Burns at the prison camp, Mr. Redwine said:

"Of my own knowledge I can't [illegible] Mr. Phillips, who was warden at the time, told me the girl had been at the camp several times."

Warden and Gold Ring

There was found but one really impressive thing about the inquiry and investigation in Campbell county. Warden Phillips is not there any longer. Information is that he is now working for a construction company having offices in Atlanta, but is himself in the field. At this stage of the inquiry, Mr. Phillips had not been seen.

Burns prints this in his magazine story:

"I had come to like Warden Phillips, as he was intelligent, human, and square. These five weeks at Campbell county led me to believe that the deal was going through smoothly and efficiently. I had sent to Chicago and had a special gold Masonic ring made for Phillips with the inscription on the inside showing my appreciation of his treatment if me. This ring cost $65."

Whether or not the ring had anything really to do with the Burns case would be a matter of conjecture. It is true, however, that Phillips was no longer warden of camp, and the officials had very little to say about Phillips, and then only in answer to direct questions.

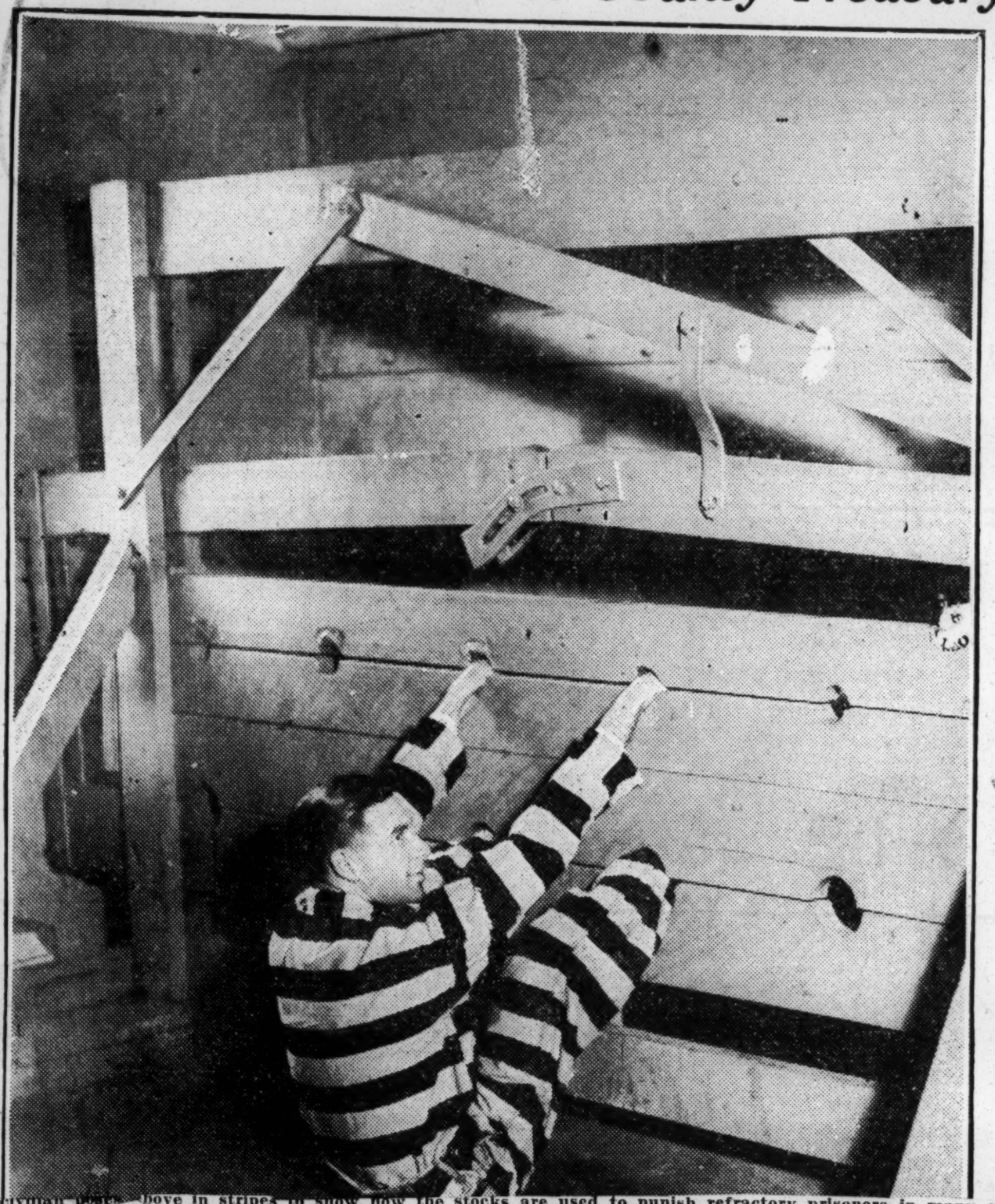
[illegible]ard C. E. Dodson, a strapping, [illegible]ed-faced, good natured fellow [illegible]usually pleasant disposition, was working a small crew of [illegible]ined convicts on a lateral road [illegible]t distance from Fairburn, and [illegible] six miles from the county [illegible], at Stonewall, was asked about [illegible]ing. Phillips evidently had received it all right enough, for Dodson smiled and replied: "Yes, he had it. I have seen the ring."

Ring Had Masonic Emblem

Asked what kind it is, he said: "A white gold ring with a Masonic emblem." Dodson didn't volunteer any further information about the ring. Rather he appeared, in an amused sort of way, to prefer not to talk about it.

T. H. Perkins, a wiry man, of more than average intelligence and strikingly straightforward and frank in his conversation and disposition, is the county warden now. He was deputy warden in 1922, when Burns first was sent to Campbell county. His brother, L. C. Perkins, was warden at that time. Paul Phillips succeeded L. C. Perkins, and T. H. Perkins succeeded Phillips following the Burns episode. The present Warden T. H. Perkins was out of service in connection with the camp or the convicts for a period of 10 months while Phillips had the place. He, therefore, had no first hand in-

Campbell Commissioner Claims Check From Burns Went to County Treasury



A civilian poses above in stripes to show how the stocks are used to punish refractory prisoners in many of Georgia's convict camps. This instrument of subjugation is commonly called "the jack," and the strain it puts on the arms and legs of its victims often causes swelling of the hands and feet.

Prisoners who have come from the state prison camp, where stocks are in use, say that after the first half hour in the stocks, prisoners are so numbed that they cease feeling pain, if they can bear the first agonies. When the legal time limit of stocks punishment has expired, and the prisoners are removed, the rush of blood to the feet and hands brings excruciating pain. As can be seen in the photograph reproduced above, almost the whole weight of the victim hangs on his wrists and ankles, and his back is in severe strain.

To get an idea of the severity of the punishment, try to hold the pose of the man above, without even the additional hurt of the stocks, for five minutes. Prisoners may be held in the instrument for an hour at a time, wth 15 minute periods of rest, as long as they resist the orders of their "bosses".

The stocks shown above are in the model Troup county stockade. It has a capacity of four prisoners at a time. In forthcoming articles, John W. Hammond will discuss the stocks, the double shackle, the sweatbox and other common forms of punishment for unmanageable prisoners.

formation concerning the second brief stay at the camp by Burns, or the incidents leading up to and immediately following the "daring escape" of Burns. He was, however, entirely familiar with the first "daring escape" of the now noted convict, and discussed it in detail. That phase of the Burns matter, though, will be handled elsewhere in a discussion of Burns' description of the horrors he suffered in the three prison camps.

Warden Perkins knew of the transfer of Burns from Campbell to Troup county camp only by reports, but Guard Dodson was present at the time and saw in the transfer nothing of the picturesque sidelights thrown on it by Burns. Dodson did recall that the Salo woman had been to the camp to see Burns several times, but of his own knowledge could recall visits only when she was accompanied by lawyers for Burns.

Camp Secluded

A visit to the camp itself indicated how easily one could have spent a very great deal of time with Burns, uninterruptedly and without direct knowledge of the officials. The camp sits off to one side of the road about a half mile from Stonewall, and is left entirely to itself when the gang is away working on the roads. There are at the place only a trusty yardman, and a cook. Burns himself was a trusty at the time the Salo girl is said to have been visiting him.

Mention is made of this incident only because of reference to it by one of the attorneys, the publication of the newspaper story about her visits at frequent intervals, and publication by Burns in his story that the prison commission had given this reason for his transfer: "The prison commissioners, when questioned by reporters and those interested in my case, for the reason for my transfer to Troup county, gave out the following statement: 'We sent Burns to Troup county for safekeeping, as this woman from Chicago visited him alone at the camp and brought liquor to him there.' This charge I emphatically brand as an untruth," Burns says in his story.

Howard's Part

An analysis of the Burns magazine story brings to light the fact that Burns himself indicates the first intimation put into his mind that his case could be influenced by "gratuities" to the members of the State Prison commission came from Attorney Carroll Latter, of Chicago.

Latter is the attorney who made a couple of trips to Georgia in behalf of Burns, and who represented him in Chicago in the court processes there. Numerous letters and telegrams are in the files of two Atlanta lawyers from him and to him.

In his magazine story Burns says this:

"Attorney John E. Echols, of Atlanta, who defended me at the time I was convicted, wrote a lengthy letter to me stating that if I would return voluntarily to Georgia, he would secure an immediate parole or pardon for me in view of the fact that there was an immense sentiment in Georgia in my favor.

"I instructed Attorney Latter to go to Atlanta, see the prison commission if possible, secure the most able and responsible lawyer in the state and to find out definitely what I could expect if I returned voluntarily. Mr. Latter left for Atlanta the next day.

"After seven days in Atlanta Mr. Latter called me on the long distance wire. He informed me that he had retained William S. Howard, ex-congressman, ex-state solicitor, executive member of the Democratic party of the State of Georgia, and the most powerful political figure and the ablest attorney in the State of Georgia.

Burns Made Offer

"After conferences with Attorney Howard and [illegible] Echols, Mr. Latter further informed me as follows:

"One: That my fate was in the hands of the prison commission, who recommended pardons or paroles to the governor. They drew small salaries and were not averse to accepting gratuities to this end, as had been the custom in Georgia for many, many years.

"Two: That I must return voluntarily and repay the state all the expense it had incurred in its efforts to extradite me.

"Three: That I would have to go back to the chaingang from 45 to 90 days, so as to make everything look regular.

"Four: I was to be sure to see that sufficient proof of my character and life for the past seven years was placed in their hands in support of their contemplated action.

"Five: This would cost me 2,500, which was to be paid to Attorney William Schley Howard, and disbursed as follows: $500 to each of the prison commissioners and $1,000 for himself.

"This was indeed good news, and while the whole arrangement was purely tentative, I told him to go ahead with the deal, as I would meet the terms."

Claim Not Supported

Whether such information went to Burns from the Chicago attorney or not they alone know. There is no way to check that phase of it here. It is not borne out by anything that can be found at this end of the line.

The deailed story dictated by Attorney John F. Echols disputes in toto the quoted part of the Burns story. A conversation with attorney Howard, totally aside from and apart from what was said by, Echols does the same thing.

Echols has outlined in his story how Latter asked for a list of lawyers, which was furnished at some length by Echols, through the mails. One of the names was William S. Howard. Burns says in his story, in another place, that he had gotten a Chicago electric company to call an electric company in this state and check up on the lawyers, and they recommended Howard. Echols says the same thing. Echols also says Latter said the same thing when Latter came to Atlanta.

So far as Howard himself is concerned, he made the statement to the writer that the case came to him entirely unsolicited; that he discussed no arrangements with any-

d Howard "the bal-a notice for 30 days before an ap- $1,500 fee in a few plication for clemency could be filed."

s that would be en- ory," said Mr. How- it would be at least e anything could be o post the requisite he courthouse. I im- mind that the rigid manded posting such

but would have been entirely satisfactory," he ance" of the $1,500 forard, "because it would dif-days.

Val Jean "I told Burns that his case would be arranged to press the chain gang for a year, but

Howard says he had been to excess- in reimbursing Camp- one prior to the entering into it with Burns; that he was, really, Burns was disposed somewhat reticent to take the case point that his case at all, because of the unenviable ferent because of its publicity it had had. When he did type, discuss the case with Burns, he says with Burns for a he carefully emphasized the fact handling the case. that there were certain iron-clad ter of payment of the and rigid rules which applied to Burns was able to pay such clemency cases, and told cash, saying he Burns plainly that he need count on sive expense nothing less than renewed service bell county and in other matters,

Campbell Commissioner Claims Check From Burns Went to County Treasury

A civilian poses above in stripes to show how the stocks are used to punish refractory prisoners in many of Georgia's convict camps. This instrument of subjugation is commonly called "the jack," and the strain it puts on the arms and legs of its victims often causes swelling of the hands and feet.

Prisoners who have come from the state prison camp, where stocks are in use, say that after the first half hour in the stocks, prisoners are so numbed that they cease feeling pain, if they can bear the first agonies. When the legal time limit of stocks punishment has expired, and the prisoners are removed, the rush of blood to the feet and hands brings excruciating pain. As can be seen in the photograph reproduced above, almost the whole weight of the victim hangs on his wrists and ankles, and his back is in severe strain.

To get an idea of the severity of the punishment, try to hold the pose of the man above, without even the additional hurt of the stocks, for five minutes. Prisoners may be held in the instrument for an hour at a time, with 15 minute periods of rest, as long as they resist the orders of their "bosses".

The stocks shown above are in the model Troup county stockade. It has a capacity of four prisoners at a time. In forthcoming articles, John W. Hammond will discuss the stocks, the double shackle, the sweatbox and other common forms of punishment for unmanageable prisoners.

formation concerning the second brief stay at the camp by Burns, or the incidents leading up to and immediately following the "daring escape" of Burns. He was, however, entirely familiar with the first "daring escape" of the now noted convict, and discussed it in detail. That phase of the Burns matter, though, will be handled elsewhere in a discussion of Burns' description of the horrors he suffered in the three prison camps.

Warden Perkins knew of the transfer of Burns from Campbell to Troup county camp only by reports, but Guard Dodson was present at the time and saw in the transfer nothing of the picturesque sidelights thrown on it by Burns. Dodson did recall that the Salo woman had been to the camp to see Burns several times, but of his own knowledge could recall visits only when she was accompanied by lawyers for Burns.

Camp Secluded

A visit to the camp itself indicated how easily one could have spent a very great deal of time with Burns, uninterruptedly and without direct knowledge of the officials. The camp sits off to one side of the road about a half mile from Stonewall, and is left entirely to itself when the gang is away working on the roads. There are at the place only a trusty yardman, and a cook. Burns himself was a trusty at the time the Salo girl is said to have been visiting him.

Mention is made of this incident only because of reference to it by one of the attorneys, the publication of the newspaper story about her visits at frequent intervals, and publication by Burns in his story that the prison commission had given this reason for his transfer: "The prison commissioners, when questioned by reporters and those interested in my case, for the reason for my transfer to Troup county, gave out the following statement: 'We sent Burns to Troup county for safekeeping, as this woman from Chicago visited him alone at the camp and brought liquor to him there.' This charge I emphatically brand as an untruth," Burns says in his story.

Howard's Part

An analysis of the Burns magazine story brings to light the fact that Burns himself indicates the first intimation put into his mind that his case could be influenced by "gratuities" to the members of the State Prison commission came from Attorney Carroll Latter, of Chicago.

Latter is the attorney who made a couple of trips to Georgia in behalf of Burns, and who represented him in Chicago in the court processes there. Numerous letters and telegrams are in the files of two Atlanta lawyers from him and to him.

In his magazine story Burns says this:

"Attorney John E. Echols, of Atlanta, who defended me at the time I was convicted, wrote a lengthy letter to me stating that if I would return voluntarily to Georgia, he would secure an immediate parole or pardon for me in view of the fact that there was an immense sentiment in Georgia in my favor.

"I instructed Attorney Latter to go to Atlanta, see the prison commission if possible, secure the most able and responsible lawyer in the state and to find out definitely what I could expect if I returned voluntarily. Mr. Latter left for Atlanta the next day.

"After seven days in Atlanta Mr. Latter called me on the long distance wire. He informed me that he had retained William S. Howard, ex-congressman, ex-state solicitor, executive member of the Democratic party of the State of Georgia, and the most powerful political figure and the ablest attorney in the State of Georgia.

Burns Made Offer

"After conferences with Attorney Howard and Attorney Echols, Mr. Latter further informed me as follows:

"One: That my fate was in the hands of the prison commission, who recommended pardons or paroles to the governor. They drew small salaries and were not averse to accepting gratuities to this end, as had been the custom in Georgia for many, many years.

"Two: That I must return voluntarily and repay the state all the expense it had incurred in its efforts to extradite me.

"Three: That I would have to go back to the chaingang from 45 to 90 days, so as to make everything look regular.

"Four: I was to be sure to see that sufficient proof of my character and life for the past seven years was placed in their hands in support of their contemplated action.

"Five: This would cost me 2,500, which was to be paid to Attorney William Schley Howard, and disbursed as follows: $500 to each of the prison commissioners and $1,000 for himself.

"This was indeed good news, and while the whole arrangement was purely tentative, I told him to go ahead with the deal, as I would meet the terms."

Claim Not Supported

Whether such information went to Burns from the Chicago attorney or not they alone know. There is no way to check that phase of it here. It is not borne out by anything that can be found at this end of the line.

The dealed story dictated by Attorney John F. Echols disputes in toto the quoted part of the Burns story. A conversation with attorney Howard, totally aside from and apart from what was said by, Echols does the same thing.

Echols has outlined in his story how Latter asked for a list of lawyers, which was furnished at some length by Echols, through the mails. One of the names was William S. Howard. Burns says in his story, in another place, that he had gotten a Chicago electric company to call an electric company in this state and check up on the lawyers, and they recommended Howard. Echols says the same thing. Echols also says Latter said the same thing when Latter came to Atlanta.

So far as Howard himself is concerned, he made the statement to the writer that the case came to him entirely unsolicited; that he discussed no arrangements with any-

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Crime-1931

SCORES OFFICERS FOR STRIKING NEGRO

Atlanta, Oct. 12—The duty of an officer of the law is to protect prisoners rather than manhandle them, United States Judge H. Marvin Underwood impressed upon a temporary baliff in a north Georgia county, who testified in federal court Monday.

Testifying against a Negro, arrested, for violation of the prohibition laws, the former bailiff admitted that he struck the prisoner after he had been handcuffed.

"Were you the officer who arrested this man?" Judge Underwood asked.

"No, sir," the witness answered, "but I was assisting the other officers.

Policeman Saved By Negro Women In Street Melee

Patrolman Asa M. Dodd, a veteran on the police force, now detailed as bailiff in police court, probably owes his life to the quick-thinking of two negro women, who prevented a negro man from stabbing him to death Saturday night. Dodd received one severe cut on the head and was treated at Grady hospital.

While off duty early Saturday night, Dodd went to the home of Maude Smith, negro woman, of 29 Hilliard street, S. E., to collect rent. As he stood talking to the Smith woman on the porch he heard a commotion between a negro man and woman in the street. He called to the negro to cease cursing. The man then cursed Dodd. The policeman started for the street, but tripped and fell. The negro leaped upon him as he lay on the ground and inflicted the wound on Dodd's head.

Maude Smith and another negro woman, Maggie Freeman, of the same address, advanced on the negro man, whose name was not learned, and pulled him off of Dodd. As he ran down the street Dodd fired at him three times, one bullet taking effect in the negro's leg, Dodd said.

Rushing to the scene of the struggle, a police radio cruising car, in answer to Dodd's call, knocked down and severely bruised Ed Carter, negro man, of 11 Hilliard street, who stepped in front of the police car at Decatur and Hilliard streets. Carter, who is blind in one eye, was carried to Grady by the cruiser and released after treatment.

DEATH OF NEGRO STAYED BY COURT

NOV 21 1931

Atlanta attorneys for John Downer, Elbert county negro under sentence of death, were notified Friday that the United States circuit court of appeals in New Orleans had ordered further hearing on the negro's plea that while a mob threatened violence, he was hastily tried and convicted of criminal assault on a white woman. The court heard arguments in Atlanta the first Monday in October and this, their decision, virtually assures a new trial for the condemned man.

The arrest of the negro took place last May 18 when he was lodged in the jail at Elberton, around which a mob gathered, necessitating the appearance of national guardsmen to maintain order. Downer was tried within three days and given the death sentence.

Following the conviction, Atlanta attorneys entered the case and an appeal was made to federal district court of middle Georgia for a reversal of the superior court sentence. Judge Bascom Deaver ruled lack of jurisdiction, claiming that it was a state court case. Thereupon an appeal was made to the circuit court, which ruled that Judge Deaver had erred in denying a hearing and said that if the facts in the position were found to be true that a new trial should be held.

NOV 21 1931

One of points of appeal was that the inflamed minds of people in Elbert county had caused disorder calculated to influence jurors, and that a change of venue should have been granted.

The decision which ordered the hearing, cited Downer's allegation that he was denied constitutional rights in his arrest, trial and conviction and that he was deprived of due process of law. "A trial conducted as this one is alleged to have been cannot be other than void," the circuit court opinion said.

Beyond expressing their pleasure that a new trial probably would be granted their client, Atlanta lawyers declined to comment on the order of the circuit court. The defense lawyers in the case are W. A. Sutherland, Jerome Jones Jr. and Granger Hansell, all of Atlanta, and Harry M. Strozier, of Macon. A. T. Walden, Atlanta negro attorney, also figured in the defense appeal.

105-YEAR-OLD NEGRO IN JAIL FIRST TIME

MACON, Ga., Nov. 21.—(AP)—A battle-scarred negro veteran of the War Between the States who says he is 105 years old, the father of 19 children—six pairs of twins,—is in jail for the first time, charged for attempted larceny.

NOV 22 1931

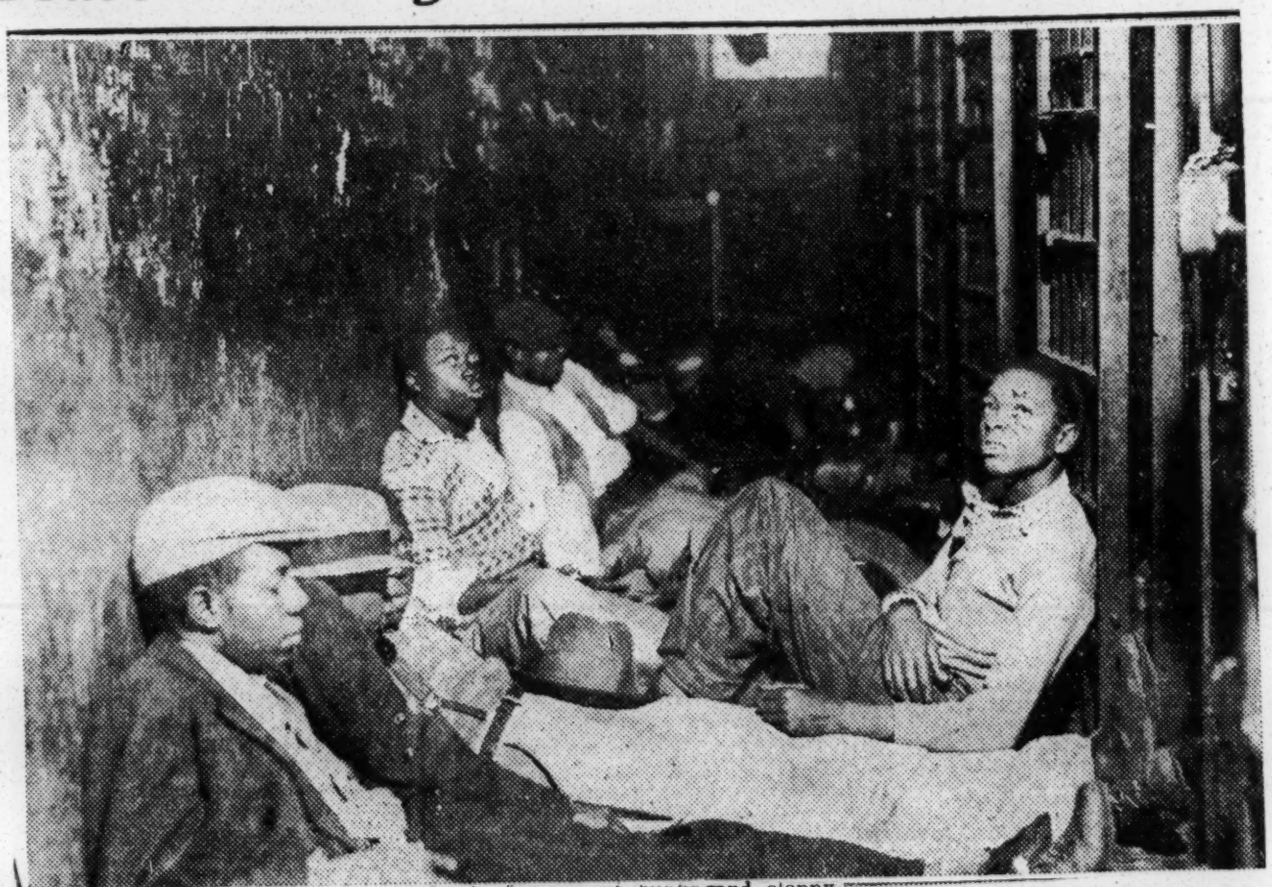
John Gordon was sentenced by Judge Charles H. Hall today to serve six months in jail. The aged negro was arrested some weeks ago when he is said to have attempted to burglarize a residence at the Idle Hour nursery.

Speaking in a voice which quivered of old age, Gordon told his story of memories only of hard work. His white kinky hair was curled on top in the old fashioned way. He said he was the father of two children when he was called to arms. He was wounded three times, he said.

"One of the bullets is in me now," he commented. "You can feel it right here."

He said the doctor told him he would die if it were removed. He is a native of Jones county.

Atlanta's City Prison Is a 'Disgrace to Hell,' Beavers Charges in Demand for New Jail



BY T. K. JONES.

"A disgrace to hell! Totally unfit for the incarceration of a human being."

In these no uncertain terms Chief of Police James L. Beavers Saturday described prison quarters in the antiquated 40-year-old Atlanta police headquarters building.

"The time has come," he declared, "when it is positively no longer humane to keep prisoners in the best place we have for them—which is no more than a mass of crumbling walls—a germ-breeding, obsolete arrangement of worn-out bunks and sloppy, damp floors."

At the same time Alvin D. Richards, chairman of the police committee of council, said: "We have only a veritable 'black hole of Calcutta' for our municipal law violators. I consider it nothing short of a crime to put a person in it. I will heartily support any plausible plan for the construction of a new police station that is brought to my attention."

Too Terrible for Criminals.

Alderman Farris A. Mitchell, another member of the police committee, likewise was vehement in his condemnation of the municipal prison. "I don't care what crime a man or woman has committed," he said, "the jail we have is just too terrible to keep them in."

Two other members of the police committee, Alderman G. Everett Millican and Councilman W. M. Rogers, also characterized the prison as "a disgrace," and announced that they would work to develop any plan to remedy the situation.

The police committee members said they were awaiting a report of a special committee to be appointed by Mayor James L. Key which council authorized Friday, to seek funds to build a new station.

Mayor Key himself is a member of the special committee, which will seek to devise means of financing the construction. Early this week the mayor is expected to name a committee of

In Atlanta, this is the only place the metropolitan capital of the south has for its municipal prisoners. Above is a scene in a "hole" for prisoners (they call it a "cell"). And the lower picture shows one of the places where white prisoners are held, one of the reasons Chief Beavers calls the city jail "a disgrace to hell." The photographs were made by Bill Mason and J. T. Holloway.

five outstanding Atlantans to assist him.

Council at its special meeting Friday afternoon gave the plan impetus when it passed a resolution offered by Councilman Joseph E. Berman and George B. Lyle establishing the committee.

Lyle-Berman Plan.

Under the Lyle-Berman plan the committee will seek funds to rebuild the structures with the city pledged to pay an annual rental equivalent to a reasonable rate of interest. The city would have the option of absorbing the costs, with a deduction for depreciation at any time it deems advisable.

Members of the police committee informed Mrs. James R. Bachman, who first proposed utilization of private capital along the lines of the present plan, of their approval of the plan.

Mayor Key Saturday pointed out that the need is apparent and that whatever steps the city can take to relieve the condition there should by all means be taken.

"I feel that Atlanta should do all it can to acquire a new police station," the mayor said. "However, we cannot spend any large amounts of money at the present time. I probably shall name a committee some time next week to consider the matter and see just what can be done. It is my idea to place men of influence and ability on it."

James Morton, executive secretary of the Atlanta Christian Council, Saturday also urged some relief measures for the conditions existing at the station and also favored rebuilding of the auditorium. The Christian council is on record concerning the police station.

Others Favor Action.

"We are convinced that some remedial measures should be adopted," Morton said. "Atlanta has struggled along with an inadequate station for the past several years. The present station is almost a disgrace to any civilized community. Men and women are herded into cells which never should be used for human occupancy."

Councilman Ed L. Almand, of the third ward, Saturday urged the reconstruction of the building.

"I favor immediate rebuilding of the structure, with Atlanta labor and at a fair price," Almand said. "The present building is a disgrace, it is inadequate to handle the traffic which passes through it, its accommodations are so limited that human beings should not be forced to occupy it."

The accompanying pictures made by a photographer who became violently nauseated when he entered the prison, show the cell block for negro state prisoners and a view of one of the barren cells in a tier for white prisoners. Twenty-two negro prisoners were in the cell block when the photo was taken, but frequently as many as 40 or 50 prisoners are forced to occupy the same space allotted the 22. When sleeping (if they ever do), the prisoners use their neighbors' shoulders as pillows.

No Place for Sick.

There are no special cells for prisoners who are sick or injured. The diseased and the healthy lie side by side and attempt to sleep under conditions that would revolt the baser sensibilities of a skunk. Many of the windows are broken. The water pipes leak—oftentimes flooding the cell blocks. The entire plumbing system is unsanitary and inmates are compelled to sleep on concrete floors with nothing more than a blanket to protect them—and sometimes not even that when the cells are crowded, according to Chief Beavers.

Captain Archer J. Holcombe, commanding the night watch, declared that in many instances he has released minor-offense prisoners, who were ill, on their own recognizance because of the added agony to which they are subjected in the prison.

"Too much cannot be said about the deplorable situation here," said the captain. "If the people of Atlanta would inspect our jail, they would demand that remedial measures be taken in the form of a new station house.

CONSTITUTION RADIO BETRAYED SLAYER

The Constitution's news broadcast is credited by police with having led to the location of John Stokes, the negro who shot Police Lieutenant Carroll Monday night. According to officers, negroes living on Washington street, in East Point, knowing that Stokes, in drenched clothing, was in a house in the vicinity, became suspicious after having heard from white residents that news of the shooting of Carroll had been broadcast by The Constitution. A negro ex-convict, learning the details of the broadcast, informed officers where Stokes could be found.

Parole Christmas Present For Macon Negro Doctor

Dr. M. Clarence Mitchell, Serving Life Sentence for Murder Of Nephew, Released to Macon Editor; Prison Officials Praise His Service to Institution

A Christmas gift of freedom came yesterday to Dr. M. Clarence Mitchell, Negro physician and surgeon, after he had served nine years of a life sentence at the state prison farm near Milledgeville, for the murder of his young nephew here. He was charged with killing the boy to collect insurance on his life.

Gov. R. B. Russell, Jr., signed a parole order on a four-year-old recommendation of the Georgia prison commission, and Dr. Mitchell will be allowed to leave the prison farm as soon as the order has arrived there, probably today or tomorrow.

The Negro is being released in the custody of W. T. Anderson, editor and publisher of The Macon Telegraph and News, who consented to Governor Russell's request that he act as the physician's parole officer.

Lucia Mitchell, wife of the physician, whose devotion and adaptation to dressmaking has made her a livelihood since the state took her husband away, received news of the parole joyously.

"Wonderful Present"

"It's the most wonderful Christmas present I ever hoped to receive," she said. "I have stuck by him during his confinement in the penitentiary because I knew he wasn't guilty. I have not missed a Sunday going to see him."

When she learned of the governor's action yesterday, the wife was engaged in dressmaking in the home of Mrs. W. D. Lamar, on Georgia avenue.

It is Lucia's intention, she said, to re-establish their home here as soon as possible. Last night, she had received no direct word from her husband to indicate when she should expect him in Macon.

Since his confinement, Lucia has been living at various places in the city. She has no close relatives here. She now lives at 529 Clinton street, East Macon.

Because there is no word to the contrary, it is presumed by attorneys and friends here that the executive order includes parole on a sentence imposed in Macon County Superior court on a charge of forgery, prior to the conviction here.

The state supreme court upheld that conviction but the life sentence here superseded it, it was said.

Garrett To Investigate

Solicitor Charles H. Garrett of the Macon circuit, said last night he would investigate that angle of the case.

Governor Russell's order ends an effort of six years on the part of Macon attorneys and friends to obtain the Negro's release on parole. Mrs. Viola Ross Napier, attorney, now city clerk, has been one of the most active in his behalf.

The Georgia Prison commission first recommended parole on Feb. 5, 1926, but the recommendation was declined by Gov. Clifford Walker after considerable study of the case. When he retired from office, Mrs. Napier, with W. A. McClellan, Sr., carried the recommendation of the prison commission to Gov. L. G. Hardman. He, too, declined to act favorably, and it was put aside until the Russell administration.

In the meantime, however, the prison commission, with knowledge of Dr. Mitchell's conduct and usefulness at the state prison, made a second recommendation.

Mrs. Napier Helped

Mrs. Napier has appeared twice before Governor Russell to urge his favorable action on the recommendation.

Since his confinement in the state penitentiary, Dr. Mitchell has made himself one of the most popular prisoners in the institution, officers there said. Because of his knowledge of medicine he immediately was assigned to the prison hospital staff. In the years which have intervened, prison officials said, he has won the reputation of being one of the leading medical men of the institution, and because of his knowledge and his general conduct in the prison has won the admiration of officials and prisoners.

Since his confinement there, he has organized and now is superintendent of a Sunday school in the Negro division of the prison.

Condemned prisoners, both whites and Negroes, who have gone to the institution to forfeit their lives to the state, have seen Dr. Mitchell during their last moments. He has assisted Rev. E. C. Atkins, prison chaplain, in the conduct of religious ceremonies just prior to the time of electrocution.

The Mitchell case was a sensation at the time. Prior to his death on Dec. 31, 1919, the nephew, Henry Samuel Mitchell, 21, was employed in Dr. Mitchell's drug store as a porter at a wage of $4.50 weekly, it was developed at the trial.

Given Life Term Each Time

He was tried twice and given a life sentence each time. The first conviction was reversed by the Supreme court on the ground that certain evidence introduced was inadmissable.

Evidence of the state at both trials indicated that the nephew, while employed in Dr. Mitchell's drug store, had policies of insurance in six or seven companies, for various amounts, the largest being for $10,000 with the bureau of War Risk Insurance.

The largest policy, it was said, was payable originally to the youth's mother, Ella Mitchell, but was later transferred to Dr. Mitchell. The other policies are said to have been payable either to Dr. Mitchell, his wife, or to some member of the immediate family. The aggregate of those, it was said, was $15,000.

The state's evidence, Solicitor Garrett said in reviewing the case, indicated that the young Negro was "utterly uninsurable," but that all the policies were issued, except the government policy, on recommendation of Dr. Mitchell as examiner. Solicitor Garrett said, too, that in cases in which he was not examiner, Dr. Mitchell forged the name of the examiner, according to state's evidence.

Died After Burns

In December, 1919, the young Negro suffered burns in Dr. Mitchell's drug store. He died three or four days later, and all the proofs of death were sworn to on the theory that the boy had died the result of burns.

These claims, Mr. Garrett said, his evidence showed, were supported by certificates of another Negro physician, J. H. G. Williams, in a number of instances.

Under the claims, beneficiaries, of which Dr. Mitchell probably was the largest, would have received approximately $40,000 under the double indemnity clause of the insurance contracts.

Dr. Mitchell's arrest was effected when an agent of the War Risk Insurance bureau suspected foul play and began an investigation. At this stage of the case, the victim's body had been buried nearly a year. It was exhumed.

At the trial, experts who examined in a drug store, may have swallowed the viscera testified that they contained traces of arsenic, showing that the young Negro had taken a sufficient amount of the poison to have produced death.

The application for parole, however, was accompanied by an affidavit by the state chemist that subsequent examination indicated that the boy died from the poison named in the original case, a number of alleged forgeries were developed, Solicitor ist said he found that the boy, worksistently had f sentence served.

Dr. Mitchell has been in the state penitentiary since Jan. 11, 1923.

Crime-1931

CHILDREN BURNED ALIVE BY CRUEL 'TRIBE CHIEFTAIN'

Journal and Guide

Breaks Wife's Bones And Sets Dogs On Children

ATLANTA, Ga.—A tale of brutality and cruelty that dwarfs by comparison the tortures inflicted by his jungle forebears on their helpless victims has brought Joe Foskey, forty-four, before the bar for white man's justice.

Foskey, but one generation removed from the fastness of the South Africa interior, is a husky giant black. One morning this week a young son of Foskey, named Roosevelt, staggered into the police station at Vidalia, Ga., and sobbed out a harrowing tale of murder and bestiality. Angered by a terrific beating his father inflicted on him, he decided to chance the possibility of future cruelties to place his father where he could no longer do harm to his family.

The son told how his father sprayed a seven-year-old daughter with gasoline, calmly lighted her dress with a match, and stood chuckling out of range of the heat while the child screamed and writhed until the flames mercifully ended her life. When the frantic mother attempted to save her daughter, he beat her until she could not stand. The girl, said the son, had displeased her father by minor disobedience.

Three weeks later the same deadly punishment was inflicted on an older daughter who tried to save her mother from a beating.

Deaths Called "Accidental"

Both these deaths had been put down in police records as "accidental." The mother and three minor sons fearing for their lives would not expose their "chief."

Investigation that followed the son's story revealed the most revolting cruelties. Foskey, "chief" of a tribe of almost savage Negroes in the wooded, swampy regions near Vidalia, ruled with an iron hand, and his word was law.

He trained a giant bulldog to catch his children and hold them until he beat them into unconsciousness with a hickory stick, which was kept in a place of honor in the log cabin "palace."

At regular intervals he forced his wife and children to perform savage rituals in worship of the "big stick."

An instrument of torture designed for his three sons was found at the "palace" following his arrest. It was a heavy log shackle studded with three-inch spurs needle sharp so fixed that they cut to the bone with every step. This was to keep the boys from running away from his dreadful domain.

Journal and Guide

All three exhibited to police scars that covered their bodies from head to foot. One boy's face was torn off by the bulldog, as he stumbled and fell while fleeing from his father.

The bulldog had been roasted to death in another orgy of cruelty a few days before the father was arrested. The dog had caught the wrong child, and the intended victim had escaped a beating for the moment.

Mother Badly Deformed

The mother, with dull frightened eyes would not talk until she had been assured that Foskey never would be able to harm her again. Then she showed her own scars as evidence of what she had undergone.

She is deformed badly, the result of her husband's wrath. Her legs and arms were broken by blows of the "big stick" when she disobeyed him by trying to save her children.

Foskey will be tried by jury, a mere formality to electrocution. Only a strict guard about the jail is prevented him from being lynched

In his cell he accepts his fate stolidly. Until his death he still is "chief" of his American tribe He will not talk. He knows no law but the law of his forebears—force. He ruled absolutely in his little settlement to the exclusion of whites and once stood off a posse of officers who attempted to search the section for liquor. Wielding a rifle with deadly aim, he forced the raiders to retreat.

THE LASH-BILLS KILLED.

Constitution

The penitentiary committees of the general assembly showed their regard for constitutional integrity when they acted adversely upon bills to authorize prison wardens to use the lash in disciplining state convicts.

1-17-31

The constitution, in the Bill of Rights, expressly provides that "neither banishment beyond the limits of the state, nor whipping as a punishment for crime shall be allowed." Yet we have the strange thing of legislators proposing to violate that prohibition by a statute and physical applications of the lash.

It should be remembered that Governor Hardwick, during his term, issued an executive order that that constitutional inhibition should be obeyed. He did not "abolish" whipping of convicts; the constitution did that and Governor Hardwick, as required by his oath, upheld the constitution in that matter.

In doing so he sought to end a brutal practice that had grown up illegally in the management of convict camps and prisons.

Atlanta

The law-abiding and humane people of Georgia do not want any such barbarous practice used upon the convicts. It is a relic of a state of society long since outgrown and subsists now only in the state of Delaware. So we are sure that the action of the general assembly committees in killing the proposed "lash bills" will be approved and applauded by all self-respecting citizens of the state.

Georgia

UNIVERSITY TO MAKE STUDY OF STATE CRIME COST

Independent

1-8-31

Atlanta, Ga

Athens, Ga.—An investigation and study of the cost of crime in Georgia, in terms of dollars and cents, will be started immediately by the department of sociology of the University of Georgia, in co-operation with the branch of President Hoover's law enforcement committee with headquarters in Washington, D. C., according to Dr. George A. Hutchinson, head of the sociology department and director of the campaign in the state.

Dr. Hutchinson will supervise the survey. Ralph C. Connally a fellow in the university sociology department, and two graduate students will visit typical sections over the state in collecting the data.

Atlanta Studied First

Atlanta and vicinity will be the first typical section studied, according to Dr. Hutchinson, who has already obtained permission from Mayor I. N. Ragsdale, of that city, to have free use of all available records needed in the work.

Cities selected for the study other than Atlanta, are Augusta Athens and Savannah. The work in Savannah and Augusta will be started soon, with a graduate student from the university sociology department doing the work at each place. Mr. Connally will make the survey in Athens and the rural sections after finishing the survey of Atlanta.

The cost of crime in representative sections, and a comparison between the cost in regard to foreign and native born is all the information wanted by the Hoover enforcement committee. Similar work is to be carried on in every state in the Union between now and March 1.

Comparison of Negro and White Costs.

The investigation and study in Georgia will go further than that specified by the federal agency and will study the comparative cost of crime of Negroes and white people, according to Dr. Hutchinson.

They will also study the cost in the small city as compared to the large city and the cost in the small county as compared with the large county.

To determine as accurately as possible the cost of crime in the different sections the workers will first find out how much time the law enforcement officers, the courts and court officials spend in prosecution of crime, separate from the time devoted to other types of cases.

Delving further into the problem, they will compute the cost of the upkeep and the maintenance of the jails and the courts, separate again from the amount of time spent on civil and other cases.

When all the information is gathered, the exact cost in dollars and cents of the cost of crime to the taxpayers of Georgia will be computed from the money expended for the enforcement of the laws

Blakely, Ga.

COST OF CRIME IN THIS STATE IS TO BE STUDIED

SOCOIOLOGY DEPARTMENT OF UNIVERSITY OF GEORGIA TO CONDUCT PROBE.

ATHENS, Ga.—An investigation and study of the cost of crime in Georgia, in terms of dollars and cents, will be started immediately by the department of sociology of the University of Georgia, in co-operation with the branch of President Hoover's law enforcement committee, with headquarters in Washington, Dr. Hutchinson, head of the sociology department and director of the campaign in the state.

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They will also study the cost in the small city as compared to the large city and the cost in the small

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To determine as accurately as possible the cost of crime in the different sections the workers will first find out how much time the law enforcement officers, the courts and court officials spend in prosecution of crime, separate from the time devoted to other types of cases.

Delving further into the problem, they will compute the cost of the upkeep and the maintenance of the jails and the courts, separate again from the amount of time spent on civil and other cases.

When all the information is gathered, the exact cost in dollars and cents of the cost of crime to the taxpayers of Georgia will be computed from the money expended for the enforcement of the laws.

NEGRO SENT TO GANG ON 'HIT-RUN' CHARGE

Constitution
1-14-31

AMERICUS, Ga., Jan. 13.—Eddie Lee Harris, negro, was given 10 months on the Sumter county chain-gang here today, following conviction on a hit-and-run charge, involving injuries sustained by Miss Myra Lunsford and Mrs. [illegible] Westbrook, member of the faculty of Americus Normal College, several months ago.

Atlanta

The crash in which Miss Lunsford and Mrs. Westbrook were injured occurred near the intersection of College and Lee streets, a truck driven by Harris crashing into their light passenger car during a light rainfall.

Several negroes in the car with Harris stated that he was driving at a rapid rate and that visibility was poor, owing to prevailing weather conditions. The negro was convicted on two counts and Judge William M. Harper imposed a straight chaingang sentence of eight months on each of these.

BURNT-CORK CRIMES TO BE ANALYZED

Pittsburgh, Pa

ATLANTA, Jan. 19—(CNS)—Under the caption, "Burnt Cork and Crime," a commission on inter-racial coopera-tion here, has issued a pamphlet analyzed numerous crimes wherein the criminal was disguised as a colored man.

"For years such incidents have come to light," the pamphlet said. "The 'framing' of Negroes, like the use of burnt cork, is getting to be rather common, too, it said, describing several instances, notably the Carver murder case at Sebring, Fla., last year, in which a white man was convicted of killing his wife and child and a Negro house boy after first blaming it all on the Negro.

"One need not prolong this recita nor tag a moral to it," the pamphle said in conclusion. "Certainly it does not mean that Negroes do not commit crimes. Unfortunately they do—sometimes heinous crimes. No racial group has a monopoly in this field.

Nor does it suggest that Negro criminals should be allowed to escape the punishment of their misdeeds. On the co trary, punishment should be made a great deal more prompt and inevitable than it is, irrespective of race.

"The meaning is obvious, however, as it relates to hasty judgment, hysteria, mob violence and the assumption that every Negro is guilty whom anybody seeks ot accuse. It suggests also that the statistics of Negro crime, now happily changing for better, might be further lightened if all the facts were known and the mask of color torn away."

"BLACK FACED" CRIMES WILL BE INVESTIGATED

Houston Informer
1-31-31
Houston, Texas.

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Savannah's Curfew To Ring at 1 A. M.; May Check Thefts

Telegraph

SAVANNAH, Ga., Feb. 8 (AP)—curfew, silent but nevertheless effective, is to toll at 1 o'clock each morning for the wandering element of Savannah's Negro population. Police have been ordered to investigate all Negro persons of suspicious appearance on the streets at that hour.

Those unable to properly account for themselves, will be incarcerated.

2-9-31

This action is being taken in an effort to halt the series of burglaries and petty thefts. Particular attention will be paid by the police to Negroes riding in automobiles during the early hours of the morning.

Macon, Ga.

The curfew last night and early this morning did not interfere, however, with the usual week-end depredations. There were a number of hold-ups, netting from $2.50 to one for $900, the latter being a meat market which caters to the Negro trade. In one instance the proprietor of a store decided he would fight, pulled his own gun, fired twice at the fleeing would-be bandits, and thinks he wounded one.

[illegible]s-Banner
[illegible]y 21, 1931

Colored Farmers Meet Discuss 1931 Program

Under the leadership of Rev. H. McTier, colored, presiding, a largely attended rural extension meeting for the colored farmers of Appling county was held Mon. at the New Jersey Baptist church, held for the purpose of planning a balanced program of farming during 1931 at which several topics of paramount importance were discussed, those attended manifested an unusual interest in the various topics taken up by farm leaders and others.

State club agent, Alexander Hurse of Savannah, and Clifford Tapley of Waycross, in charge of men and boys department and the girls and women under the leadership of Carrie McCleod, general supervisor for Appling county of the colored folks and Mrs. J. B. Jordan, Home demonstrationtion agent of Ware county were present and made most interesting talks.

Mr. L. C. Walker, County Agent, and Mr. U. L. Cox, editor of the News-Banner, went out from Baxley, made interesting talks and gave wholesome advice to the farmers, each emphasizing the necessity and importance of growing more food crops.

A brief response was made by Prof. G. B. Fleming, principal of the Baxley colored school.

[illegible] 1931

PSEUDO-NEGRO CRIME BLAMED

Find Numerous Crimes Wherein Criminal Disguised As Negro

By the United Press

ATLANTA, Jan. 23.—Under the caption, "Burnt Cork and Crime," a commission on inter-racial cooperation, Atlanta, has issued a pamphlet analyzing numerous crimes wherein the criminal was disguised as a negro.

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NOW SAVANNAH HAS JIM CROW CURFEW RULE

Defender
2-14-31

SAVANNAH, Ga., Feb. 13—Something new in discrimination was recorded here when the Savannah police department put into effect a "curfew for Negroes" last week. The curfew, according to city officials, was found necessary to aid in the war on crime that has been sweeping the city. Nothing has been said about white criminals who have been caught robbing shops and holding up pedestrians on streets. Evidently white crooks are not included in crime statistics.

Courier

The new order makes it mandatory for all dark citizens of Savannah to be off the streets by 1 o'clock in the morning. Those seen out after that hour must submit to a grilling by a policeman and, if unable to give a "satisfactory" reason for being on the streets, must go to jail. An interesting sidelight on the new system was revealed after the first day of operation, when police admitted that there had been six hold-ups after dark Savannah had been driven off the streets.

'ELECTRIC CHAIR' GRILLING CHARGED

Constitution
2-18-31

Negroes on Trial Claim They Were Mistreated by Police.

Atlanta, Ga

Testimony to the effect that Atlanta policemen maintain an "electric chair" at headquarters in an effort to obtain confessions was given Tuesday during trial of Rogers Sanford and James Clark, negroes, acquitted on burglary charges.

Sanford charged that he was forced to sit in the chair while police sought a confession. Both negroes were acquitted of the charge of breaking into the Stocking Shop, at 16 Broad, S. W.

The defense attempted to introduce other witnesses to testify that they had been forced to sit in the police electric chair while being grilled, but Judge John D. Humphries ruled out their testimony on the ground that it had not been shown that either Sanford or Clark had confessed and the testimony from witnesses was not relevant to the case.

Judge Humphries' courtroom was stirred recently when a negro defendant charged that a co-defendant had been beaten and he had been promised the same medicine unless he told the truth.

During Tuesday's "electric chair" testimony, Assistant Solicitor-General John H. Hudson asked that the defense be allowed time to go to the police station and find the electric chair, but Judge Humphries ordered the trial to proceed on the ground that no confession was involved.

Crime-1931

Georgia.

CURFEW FOR NEGROES

Is was unofficially announced last Sunday that every Negro found on the streets after one o'clock in the morning would be accosted and questioned, whether walking or in an automobile. The announcement caused considerable concern and resentment. The law abiding among us welcome the activity of the police in detecting and preventing crime, and will aid in every manner in that direction. While this is true, they resent the announcement, because it was not general, simply emphasizing the Negro, especially if same has the sanction of the city officials. The Negroes are proud of their city and desire to do everything possible for its advancement, but under the circumstances, they feel that they are not being encouraged in the maintainance of such loyalty. Many of them joined in efforts not only of inducing many of their number to remain here, rather than migrating to more congenial locations, but also inviting industrious ones to locate here. The announcement of such direct orders against the race will not only weaken the assurance of Savannah being an ideal place in which to reside, but will be the cause of influencing many to join the more than one hundred and forty thousand who left Georgia within the past decade. The hope is expressed that the announcement does not meet the favor of the city officials.

ALL NEGROES MUST BE IN BED BY ONE O'CLOCK

New Savanah Georgia Curfew Law Seeks To Keep Colored Citizens Off Streets To Curb Holdups.

2-21-31

SAVANNAH, Ga., Feb. 20. (ANP) Much concern is being manifested in the recent curfew law, which is now being enforced, that all Negroes must be off of the streets here by one o'clock in the morning.

The law was inaugurated as one of the steps taken by the police to curb hold-ups and robberies. Negro citizens are contending that the crimes are not committed by members of the group any more than by other nationalities and therefore can see no reason why the law should apply only to Negroes.

According to the ordinance any Negro found on the street after 1 o'clock and unable to offer a "satisfactory explanation" to the police will be taken to the station-house for investigation.

War Period Recalled

The passage of this law has recalled the situation that existed here just after the close of the war when Negroes were not permitted to congregate in numbers on the streets on account of the fear at that time that a race riot would result. During that hectic period respectable citizens and tax-payers were arrested by prejudiced police on any pretext and many of the leading business men were subjected to indignities at the hands of the police. That the present law will bring about the same situation is the belief of many of the citizens of both races.

Savannah Mayor Says There Is no Curfew

Chicago, Ill.

SAVANNAH, Ga., Feb. 27.—The recent report that the city of Savannah had instituted a curfew law for "Negroes" was denied last week by Mayor Saussy.

The mayor's statement was in answer to two letters he had received, one from a judge and the other from a bishop of the Episcopal church, both of whom condemned the discriminatory curfew law as illegal and as provoking race antagonisms.

Two weeks ago a daily newspaper in Savannah announced that the police department would inaugurate a curfew law applying to "Negroes" only. It stated that all members of the Race caught on the streets after 1 o'clock in the morning would be subject to arrest if they could not give satisfactory explanations as to why they were not indoors.

Judge Samuel B. Adams of Savannah wrote to Mayor Saussy the following letter:

> The public prints suggest that some kind of "curfew" ordinance or regulation may be passed by the city to be confined to Negroes.
>
> Assuming that a curfew regulation of any kind is within the province of the mayor and aldermen, it is at least entirely clear that if one be passed it must apply to both races without discrimination. I am sure that your legal adviser will advise, in the light of controlling decisions, that a law or regulation confined to Negroes would be contrary to fundamental principles and therefore void.
>
> As a matter of justice and right, without reference to the law, the discrimination contemplated, if it be contemplated, would be wholly unjust and unfair.

Mayor Saussy wrote Judge Adams the following reply:

> Your letter of Feb. 14, 1931, in re curfew ordinance:
>
> Like yourself, the first I heard of this matter was in the public print. No such ordinance is contemplated. No one seems to know where the newspaper reporter got the story. No such instructions have been issued to the police.
>
> Certain lieutenants of police did read to each relief instructions to make inquiry of suspicious characters on the streets in the late night or early mornings, without regard to color or race. This, I am informed, is an ordinary and usual occurrence at the police department at certain intervals during the year.

The Right Rev. F. F. Reese, Episcopal bishop of Georgia and chairman of the Savannah branch of the interracial commission, was responsible for the judge's letter. It was he who wrote Judge Adams and asked his legal opinion on the matter, and later wrote the mayor after having received word from the judge that a curfew law applying to one race only would not be legal.

Fewer Negroes in Jail

Age 3-14-31

Savannah, Ga.— A decided change has been noted during the last few years in the character and race of prisoners confined in the county jails of South Georgia. White prisoners have increased and Negroes have decreased.

State and Federal prohibition laws have served to increase the numbers of white prisoners, white men being leaders in this form of law violation.

Negroes still outnumber whites in the road gangs, because the white prisoners are usually assigned to work on prison farms.

MORE WHITES IN JAIL.

Georgia Notes Fewer Negroes In Penal Institutions.

3-8-31

Special Correspondence, THE NEW YORK TIMES.

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For many years following the war between the States, Negro county prisoners predominated, indeed it was unusual to find a white man in jail. There has been a gradual change in the situation, however, owing, in great measure, to the departure of many Negroes for the North. Another important factor has been the development of a better type of Negro by means of education and through a desire on their own part to improve their condition.

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Baltimore

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University To Make Study Of Cost of Crime in State

Sociology Department To Conduct Probe in Co-operation With Law Enforcement Committee.

Constitution 1-4-31

ATHENS, Ga., Jan. 3.—An investigation and study of the cost of crime in Georgia, in terms of dollars and cents, will be started immediately by the department of sociology of the University of Georgia, in co-operation with the branch of President Hoover's law enforcement committee, with headquarters in Washington, D. C., according to Dr. George A. Hutchinson, head of the sociology department and director of the campaign in the state. Atlanta Ga.

Dr. Hutchinson will supervise the survey. Ralph C. Connally, fellow in the university sociology department, and two graduate students will visit typical sections over the state in collecting the data.

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Comparison of Negro and White Costs.

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They will also study the cost in the small city as compared to the large city and the cost in the small county as compared with the large county.

To determine as accurately as possible the cost of crime in the different sections the workers will first find out how much time the law enforcement officers, the courts and court officials spend in prosecution of crime, separate from the time devoted to other types of cases.

Delving further into the problem, they will compute the cost of the upkeep and the maintenance of the jails and the courts, separate again from the amount of time spent on civil and other cases.

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WHITE PRISONERS INCREASE AND NEGRO PRISONERS DECREASE. Independent

It is a hopeful sign that speaks for the social order to find a decrease in prisoners, for crime is the most costly evil in the national life. It is exceedingly encouraging to find that Negro criminals are growing beautifully less every year; and painfully regretted to observe the steady increase in criminals among our white neighbors. 3-19-31 Criminologists and scientists are trying to give the reasons for the decrease in Negro prisoners in the penitentiaries and growing increase in white prisoners. The reasons are not far-fetched. It is the enviroments that have surrounded the young white boy. He has been taught by the administration of justice between white men and black men that punishment was made for the Negro and freedom of action without regard to law was the white mans' prerogative. The white man has felt that he might violate the law with impunity and that the law was made to punish the Negro for crime and to set him at liberty.

The rigid enforcement of law against the Negro and its laxity in favor of the white man has taught the Negro to live in fear of the law because of certain punishment and the white man to feel above the law, because of the laxity of its enforcement against him; hence, we have an increase in crime among the white youth because he feels that the law was made to punish Negroes and not white man and a decrease in crime among the Negro youth because the certainty of punishment when he is guilty and often when he is not guilty, if the white man is a witness in court against him. It is not unusual to hear a white lawyer argue to a jury of white men, and ask, are you going to believe a Negro under oath before you will believe a white man not under oath? and the jury often answers by its verdict in the negative. This is in cases where the accused is a white man and the witnesses are Negroes.

COLORED CONVICTS DECREASE

Courier 3-21-31

SAVANNAH, Ga., March 19—C.N.S.)—Southern judges and others well versed in the make-up of the prison population of the South are testifying to the fact that the number of white prisoners is increasing and the number of Negro prisoners decreasing in many of the counties of the South. Pittsburgh, Pa.

A few months ago Judge Midgette, of the Wake county, S. C., Superior Court, in a talk to the grand jury of that county, said:

"Our prisons are filled with perpetrators of four classes of crimes—homicide, burglary, embezzlement, and larceny, and the last-named crime is responsible for about 95 per cent of the 2500 state's prisoners being where they are.

"The majority of the persons crowding our prisons are white youths and not Negroes."

Reports now come from parts of Georgia that "A decided change has been noted during the last few years in the character and race of prisoners confined in the county jails of south Georgia. White prisoners have increased and Negroes have decreased.

"For many years following the war between the states Negro county prisoners predominated; indeed, it was unusual to find a white man in jail. There has been a gradual change in the situation, however, owing, in great measure, to the departure of many Negroes for the North. Another important factor has been the development of a better type of Negro by means of education and through a desire on their own part to improve their condition.

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JAIL POPULATION 4 PER CENT HIGHER IN GEORGIA IN 1930

52,096 Commitments Are Shown by Department of Public Welfare.

An increase of amolst 4 per cent in the jail population of the state in 1930, as compared with 1929, is shown in figures compiled by the State Department of Public Welfare from reports made by county sheriffs all over Georgia.

Total jail commitments in 1930 were 52,096,, while in 1929 they were 50,316 a numerical increase of 1,780 for 1930, of which 399 were white persons and 1,381 were Negroes. Independent

The number of jail prisoners under 16 years of age decreased slightly. 3-12-31

Fulton County showed an increase in jail population over 1929, with 9,763 commitments in 1930, as compared with 8,298 in 1929. Only 11 of the 9,763 were under 16 years of age. Georgia

Complete figures on jail commitments throughout the state, as compiled by Thomas B. Mimms, director of jail inspection for the Department of Public Welfare, follow:

	1929	1930
Whie men	20,956	21,429
White women	1,593	1,643
White boys	395	306
White girls	96	61
Negro men	23,233	24,721
Negro women	3,616	3,480
Negro boys	360	391
Negro girls	67	65
Total white	23,040	23,439
Total colored	27,276	28,657
Total prisoners	50,316	52,096

—Atlanta Journal.

Blame for social delinquency presupposes neglect of social opportunity, but judged by such a standard, the Negro record here is far superior to that of the whites, for, in the minds of all right-thinking people the question arises: Can we make any exact comparison between Negro delinquents and white delinquents?

Most of these Negroes were born of parents who knew little of shaping their children's careers. They were raised up under a government the laws of which were not only not of their making, even in part, but were positively hostile to their making the best of themselves; many of these people were arrested in order that some ignorant but presumptuous policeman might prove his prowess as a "good" officer—his conception of police efficiency being based on the number of arrests he could make in a given period. Still others have been arrested on trumped-up charges and "confessed" anything in order to stop the cruelty of third-degree methods perpetrated upon them. Thousands of others have reached prison because society has denied them the means to know their rightful places in the scheme of things. Many of these Negroes honestly believe that they are right when they engage in bootlegging and other means of debauchery.

Aside from these direct means of assailing a Negro's full development by keeping him ignorant of what is right, white men have, in 1930 particularly, assailed the Negroes' jobs—and, self-preservation being the first law of nature, many a Negro, with character weakened by a State which limited his intelligence, has been caught stealing the necessities which keep soul and body together.

Haled into a court where the cards were stacked against him, a court ignorant of the first principles of criminology, many a guiltless Negro has been counted among the criminally corrupt when he has been but a simple child of misfortune. There are courts in Georgia where a lawyer—a white lawyer—attempting to defend a Negro would be immediately ostracised for such audacity.

Again, not all the courts in Georgia have gone out of existence which feel that in the easy conviction of Negroes they are adding to the number of workers for the benefit of white men. As long as there is a will there is a way to appropriate Negro labor to private white enterprise. The writer once listened in on a lively discussion in a country store between white landlord and black tenant regarding the amount of a bill. Upon the entrance of a burly white officer of the law, the white landlord grew boisterous and threatening, as an anticipatory smile spread over the face of the latter. He had paid a disputed tax bill. She had the check, but no legal redress for the fact of that collector.

No, there is no just way to condemn Negroes for such a record until the mill of the law grinds all its grist with equal fineness.

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"The majority of the persons crowding our prisons are white youths and not Negroes."

Reports now come from parts of Georgia that "A decided change has been noted during the last few years in the character and race of prisoners confined in the county jails of south Georgia. White prisoners have increased and Negroes have decreased.

"For many years following the war between the states Negro county prisoners predominated; indeed, it was unusual to find a white man in jail. There has been a gradual change in the situation, however, owing, in great measure, to the departure of many Negroes for the North. Another important factor has been the development of a better type of Negro by means of education and through a desire on their own part to improve their condition.

"State and federal prohibition laws have served to increase the number of white prisoners, white men being leaders in this form of law violation."

Negroes still outnumber whites in the road gangs, because the white prisoners are usually assigned to work on prison farms.

JAIL POPULATION 4 PER CENT HIGHER IN GEORGIA IN 1930

52,096 Commitments Are Shown by Department of Public Welfare.

An increase of amolst 4 per cent in the jail population of the state in 1930, as compared with 1929, is shown in figures compiled by the State Department of Public Welfare from reports made by county sheriffs all over Georgia.

Total jail commitments in 1930 were 52,096,, while in 1929 they were 50,316 a numerical increase of 1,780 for 1930, of which 399 were white persons and 1,381 were Negroes.

Independent

The number of jail prisoners under 16 years of age decreased slightly.

3-13-31

Fulton County showed an increase in jail population over 1929, with 9,763 commitments in 1930, as compared with 8,298 in 1929. Only 11 of the 9,763 were under 16 years of age.

Atlanta

Complete figures on jail commitments throughout the state, as compiled by Thomas B. Mimms, director of jail inspection for the Department of Public Welfare, follow:

	1929	1930
Whie men	20,956	21,429
White women	1,593	1,643
White boys	395	306
White girls	96	61
Negro men	23,233	24,721
Negro women	3,616	3,480
Negro boys	360	391
Negro girls	67	65
Total white	23,040	23,439
Total colored	27,276	28,657
Total prisoners	50,316	52,096

—Atlanta Journal.

Blame for social delinquency presupposes neglect of social opportunity, but judged by such a standard, the Negro record here is far superior to that of the whites, for, in the minds of all right-thinking people the question arises: Can we make any exact comparison between Negro delinquents and white delinquents?

Most of these Negroes were born of parents who knew little of shaping their children's careers. They were raised up under a government the laws of which were not only not of their making, even in part, but were positively hostile to their making the best of themselves; many of these people were arrested in order that some ignorant but presumptuous policeman might prove his prowess as a "good" officer—his conception of police efficiency being based on the number of arrests he could make in a given period. Still others have been arrested on trumped-up charges and "confessed" anything in order to stop the cruelty of third-degree methods perpetrated upon them. Thousands of others have reached prison because society has denied them the means to know their rightful places in the scheme of things. Many of these Negroes honestly believe that they are right when they engage in bootlegging and other means of debauchery.

Aside from these direct means of assailing a Negro's full development by keeping him ignorant of what is right, white men have, in 1930 particularly, assailed the Negroes' jobs—and, self-preservation being the first law of nature, many a Negro, with character weakened by a State which limited his intelligence, has been caught stealing the necessities which keep soul and body together.

Haled into a court where the cards were stacked against him, a court ignorant of the first principles of criminology, many a guiltless Negro has been counted among the criminally corrupt when he has been but a simple child of misfortune. There are courts in Georgia where a lawyer—a white lawyer—attempting to defend a Negro would be immediately ostracised for such audacity.

Again, not all the courts in Georgia have gone out of existence which feel that in the easy conviction of Negroes they are adding to the number of workers for the benefit of white men. As long as there is a will there is a way to appropriate Negro labor to private white enterprise, found a way to appropriate Negro boisterous and threatening, as an the already exorbitant bill—again. But the writer does NOT remember that the illiterate man features of the white officer, ever- remember that the illiterate man ready to arrest the Negro solely on the white landlord's word. Remembering that custom, law and as an intelligent Negro teacher in Griffin, Georgia, once had the courts were stacked against him, the white landlord grew and thought he had better pay had paid a disputed tax bill. She had the check, but no legal redress for the fact of that collector.

No, there is no just way to condemn Negroes for such a record until the mill of the law grinds all its grist with equal fineness.

The writer once listened in on a lively discussion in a country store between white landlord and black tenant regarding the amount of a bill. Upon the entrance of a burly white officer of the law, the black man swallowed a receipt. But such a receipt has been of but little good to the black man. Upon the entrance of a burly white officer of the law, the black man swallowed tax collector to tear up a receipt which she presented to show she

Crime-1931

Illinois

South Side Physician Says He's 'Goat' in Family Dispute

Defender

Chicago, Ill

10-10-31

Dr. William Walden Gibbs, prominent South side physician, who was arrested Tuesday night, Sept. 29, by Lieut. William D. Middleton and Detective Oscar Ridley on a warrant charging him with having performed an illegal operation on a 15-year-old girl, stoutly denied being guilty Wednesday night when he talked with a representative of The Chicago Defender.

The warrant charged that on Sept. 9, 1930, Dr. Gibbs performed an illegal operation on Lorraine Mack (white), 414 N. Elmwood, Oak Park. Mrs. Pearl Thield, 922 N. Merrian St., Oak Park, has been charged with being an accessory to the crime, it being said that she brought the girl to Dr. Gibbs for the purpose of having the operation performed and that she watched while it was being done.

Dr. W. W. Gibbs

Dr. Gibbs was arraigned in felony court before Judge Freeman A. Fairbanks Sept. 30, but the case was continued until Oct. 16. The physician's office is at 4301 State St.

In his statement to The Chicago Defender, Dr. Gibbs said he has attended the Mack family for more than five years and that the father has shown that he had the utmost confidence in him. Dr. Gibbs said he attended the late Mrs. Mack when her last baby was born.

The physician sees in the charges against him a move on the part of the eldest Mack daughter to hit back at Mrs. Thield, Mr. Mack's housekeeper, with whom she has had trouble. Recently the daughter brought about her father's arrest by charging him with keeping a disorderly house. She claimed that he was living with Mrs. Thield, Dr. Gibbs said. The physician also said his reputation and his character are being besmirched by the daughter in her efforts to get even with Mrs. Thield.

It is decidedly against him that Mrs. Thield has been charged with being an accessory to the crime he is accused of committing, Dr. Gibbs admitted. It is his practice, he informed The Chicago Defender, never to examine a girl minor unless she is accompanied by a parent or a guardian, and never to examine a woman unless his nurse is present. In the case of the Mack girl he had insisted that Mrs. Thield remain in the room to witness the examination.

Dr. Gibbs said much fuss was made of the fact that the girl had been brought to a South side Colored physician, but the authorities had not been apprised of the fact that he had attended the family regularly and had visited the late Mrs. Mack several times at her home in Oak Park.

Lorraine is reported to have told the court she was not operated upon. Dr. Gibbs wrote a prescription which he gave Mrs. Thield, she admitted, but it was never filled as she improved sufficiently after following other instructions the physician gave. Dr. Gibbs said he is sure he will be vindicated when the case is finally disposed of.

CHARGED WITH OPERATING ON WHITE GIRL

Abortionist

Baltimore, Md

—(ANP)—Charged with performing an illegal operation on 15-year-old Lorraine Mack, white, Dr. William W. Gibbs, prominent physician here, was taken into custody last week.

10-10-31

The doctor, who stated that he had been the family physician in the Mack family for five years, stoutly denied the accusation.

Sister Accuser

Dr. Gibbs's arrest was made after an elder sister of the girl reported the matter to the police. Held as an accessory to Dr. Gibbs is Mrs. Pearl Thield, white, housekeeper in the Mack family. The sister of the girl stated that it was Mrs. Thield who stood by while the illegal operation was being performed.

Dr. Gibbs told officials that the affair is the result of internal strife in the Mack family. The elder Mack girl, who made the accusation, he said, believes that there is an affair between the Mrs. Thield and her father, and is using this means to bring about a break.

The physician was arraigned in court before Judge Freeman L. Fairbanks, Wednesday, but trial was deferred until October 16.

The young Miss Mack is reported to have stated in court that Dr. Gibbs did not operate on her. Dr. Gibbs asserts the same thing. He admits prescribing for her, but the prescription was never filled because the young lady in distress found that the medicine would not be necessary if she followed other suggestions given to her by the physician.

Crime-1931

Crime Report Has Decrease For December

Gary American 1-17-31 Gary, Ind

Liquor Crimes Top Lis As Usual; Followed By Gamblers

513 Arrests Show Negroes Total 175

Yearly Statistics Show Liquor Violation Sixth of Total

Crime, as judged by the number of arrests made by the police department, decreased 15% in December as compared to the previous month. The total number of arrests for December, according to the reports recently issued by the bureau of records, amounted to 513. The arrests in November were 633.

Liquor Cases Lead

Violation of the state liquor law and its resulting consequences, intoxication, led the list of crimes for the month. There were 88 arrests for liquor violation and 105 cases of intoxication. These two crimes led the list of law violations and arrests in Gary in every month in 1930.

175 Negroes Arested

Although the Negro population of Gary numbers slightly less than one-fifth, the number of Negroes arested monthly by the police usually average one-third. This was the case also in December, when 175 Negroes became entangled in the toils of the law. Practically 40 percent of these were subsequently released after questioning.

Negroes continued to display their love for fighting among themselves, according to the report. Of a total of 22 shooting scrapes, cutting affairs and personal fights reported during the month, Negroes were involved in 18 of them. They split fifty-fifty on the "murder-credits;" two being committed in December, one by Negroes.

L. L. V.'s Lead

Liquor violations also took the lead in Gary law infractions for the year of 1930. There was a total of 1044 arrests for this one crime, as compared to a total of 6797 arrests for the year . The prosecutor's office was able to gain convictions in more than 75% of these cases.

The Gary police department made an outstanding record for the year in the recovery of stolen autos. Five-hundred and ninety-eight autos were reported stolen during the year and the department recovered 502 of them . In additdion to that the department also recovered 71 autos reported stolen in other cities.

TERRE HAUTE, IND.
TRIBUNE

FEB 14 1931

CONVICT PAL OF LYNCHED NEGROES

ANDERSON, Ind. Feb. 14.—(AP)—Robert Sullivan, 18-year-old Marion negro, was convicted by a Madison circuit court jury yesterday of a charge of automobile banditry and robbery in connection with the hold-up of a filling station near Marion Aug. 2. Passing of sentence was deferred by Judge Carl F. Morrow until after disposal of the case of Herbert Cameron, negro, indicted jointly with Sullivan.

Besides Cameron, Sullivan's accomplices in the robbery were alleged to have been Thomas Shipp and Abe Smith, negroes, who were lynched by a mob at Marion for the slaying of Claude Deeter, Fairmount youth, and criminal attack upon his girl companion. Cameron also is under indictment in connection with that case. He escaped the mob that lynched Shipp and Smith.

The cases of Cameron and Sullivan were venued from Grant county.

CITIZENS DENOUNCE SHOOTING OF WOMAN BY COP AT MASS MEETING

Recorder 5-2-31 Indianapolis Indiana

DEMAND PROSECUTION SUSPESION OF QUICK TRIGGER PULLING CARGEANT—NATIONAL ASSOCIATIONS PUTS CASE UP TO BOARD OF SAFETY—— POLICE CHIEF, MAYOR.

(By Staff Correspondent)

Out of a mass meeting of hundreds of indignant citizens that packed the Simpson M. E. Church, Missouri and Eleventh streets Sunday night, came a unanimous demand for the prosecution of Sergeant Don Cummings of the Indianapolis police force, who it is alleged on the night of April 8, shot and seriously wounded Mrs. Alice Walden, 2714 N. California street.

R. L. Brokenburr, attorney for the local branch of the organization, was placed in charge of the legal proceedings involving a civil suit to be instituted immediately against Cummings.

Flimsy Excuse

To special N. A. A. C. P., investigators Sergeant Cummings admitted shooting Mrs. Waldon because he thought she was a man masquerading in a man's clothing.

Was Not Under Arrest

A recently published statement that Mrs. Waldon was shot when she attempted to escape arrest was erroneous. Mrs. Waldon, who is of good parentage and family when shot down was on her way to a dance.

Following the shooting Mrs. Waldon was arrested and held in jail on an allegedly trumped up charge of vagrancy.

Action Demanded

In response to demands from hundreds incensed citizens the National Association for the Advancement of Colored People is mustering every bit of its constitutional strength to rid the city police force of Cummings' incumbrance.

The case already has been officially laid before Mayor Sullivan, chief of Police Jerry Kinney and the Board of Safety by the National Association.

Victim In Hospital

The wounded woman, who was released from prison on bond furnished by the local branch of the National Association is still in the City Hospital where she was taken shortly after jail authorities discovered she was bleeding to death in her cell. An interview with Mrs. Waldon revealed that she was held excommunicado at the hospital eight days prior to being released on bond.

Makes Statement

Weakened pitiably from loss of blood as a result of the wound. Mrs. Waldon made the following statement to an Indianapolis Recorder reporter from beneath the linen of her sick cot at the City Hospital:

Her statement follows: "On the night of the shooting I had started to run to catch up with a friend of mine at Senate and Ohio street, when I was suddenly commanded to halt by some one who happened to be a policeman in a car close by. "Before I could realize what it was all about several shots were fired at me, one of which took effect in my foot and felled me. Rushing up to me several officers that surrounded me said when a policeman tells you to stop you should stop. We will teach you how to run from an officer."

"I was ordered to get up, which I did but fell again. One of the officers said you should catch that girl. Don't let her fall like that." 'Let her fall, to hell with her,' said the Sergeant."

Just then Mrs. Waldon, who is the mother of two small children, said she questioned the officer as to why "did you shoot and curse me," and elicited the brutal retort "shut up, I ought to shoot you again."

When another officer is said to have suggested that Mrs Waldon be allowed to go home, the Sergeant is alleged to have said take her down I know all about her. I know what she is down here for.

At the City hospital to which Mrs. Waldon was taken physicians applied mercurochrome. She was then taken to jail, where it subsequently feared the wounded woman would bleed to death if not properly cared for. This was evident when a pool of blood was discovered under the woman's bed in the prison. The kindly turn of a matron who called the police resulted in Mrs. Waldon being again taken to a detention ward in the City hospital for treatment.

PLOT IS AIRED BY WHITE SCRIBE

Courier 9-26-31

Officers Confess "Planting" of Gun In Indiana Case—Victim's Account of Disturbing "Petting" Party Upheld by Woman In Case.

Pittsburgh, Pa.

(Special to The Pittsburgh Courier)
By Staff Correspondent

EVANSVILLE, Ind., Sept. 24—A white police officer, interrupted by a colored man while engaged in a "petting party," felt that it was all right for him to shoot the intruder and then yell "robbery" behind the apparent safety of his police badge, but white reporters on The Courier and Journal of this city thought that news was colorless and knew no "color line." As a result, Ernest C. Lynn, 34, white traffic officer, and four other white men are facing charges of perjury, subornation of perjury, conspiracy to commit a felony and contempt of court.

The charges carry prison terms varying from two to 14 years and heavy fines on the major charges, down to $1,000 fine and three months in jail for contempt of court.

"Framed" by Officer

The complete story of how Granville "Bud" McGill, 40-year-old race man, of North Evans avenue, was "framed" on a robbery charge after he had been shot by Lynn, was told Saturday night. The bullet passed through McGill's back and lodged beneath his stomach, permanently crippling him.

Investigations had been made secretly by reporters of the Courier and Journal, Circuit Judge John W. Spencer Jr., Chief of Police Emmett Bell and Detective Chief Ira Wiltshire. They resulted in a complete confession of the "frameup" Satur-

day night by three officers involved and two other persons figuring in the case.

The confessions in brief tell of how McGill came upon the white officer the night of May 29, this year, while the officer was engaged in a petting party with Lena Morrow, 39. It tells how the white officer shot McGil and other officers later obtained a gun from McGill's home and "planted" it at the shooting scene to bear out a robbery theory.

Judge Starts Probe

The first word of the "framing" of McGill developed two weeks ago when McGill went on trial before Circuit Judge Spencer. The man told his story. Coroner Edward Kraft, mentioned in some quarters as mayoralty timbre, was a character witness for the accused man. Judge Spencer stopped the trial, at this point, and began an investigation into the serious "framing" charges.

Reporters of the Courier and Journal began digging after clues, and last Saturday, William Barlow, a reporter, uncovered clues which led to the "midnight" conference. Lynn had maintained he was alone in his car, and shot McGill when he was running away after having stolen his pocketbook.

Witness Admits Lie

Carl Ritz, 32, a white laundry driver, who testified in court and had made affidavits that he drove by the scene of the shooting as the shots were fired, and had assisted Lynn in bringing McGill to the city, was one of the first to admit that he had lied.

"It's all a lie, I wasn't even out there. Lynn just had me testify that," he admitted and later came out with the complete story. Traffic officers Mayeety, Sam Carter and Adrian Gaffney came through with the truth then and admitted they had "planted" McGill's gun to aid Lynn and that their testimony in circuit court against McGill on the robbery charge w[illegible]

Girl In Car Confesses

Miss Morrow, white, clerk in a department store, next told of being out with Lynn on the night of the shooting and the circumstances surrounding the shooting. Meanwhile Lynn was being questioned in another room and he also admitted he was out with a woman, but declared:

Said She Was Married

"I can't tell you who she is. She is married and her husband would kill me if he ever found it out." This was also found to be false, since the Morrow woman is not married.

Lynn was discharged from the department immediately after the confessions had been signed, and was placed under a $1,000 bond.

The story told by the Morrow woman and McGill on the witness stand are almost identical. The Morrow woman said McGill tapped on the window of the car. McGill says he passed only near it when Lynn saw him and shot.

Has Shot Another

Lynn several years ago while a street car motorman, shot Douglas Spradley, Boonville youth, who he said had held him up at the end of the street car line.

Arriving at police headquaters just as the last confessions were being typed, Edwin F. Diekmann, president of the board of safety, became enraged when he read the confessions of the policemen.

"I called all you men in and asked you to tell me the truth and you lied——. I have felt it my duty to stick by the policemen because the public is prone to knock you men without understanding the trials you have.

"This thing is unthinkable — disgusting. Bah! It makes me want to quit this job. I haven't words to tell you men how low down and despicable I think you are. You aren't fit to mingle with honest people. Any man that would frame a man into the penitentiary—that would attempt to send an innocent man, colored or white, to prison on perjured testimony belongs in prison himself.

Takes Away Badges

"Take those badges off and turn them in. Don't ever come to me or the chiefs here for sympathy. You have given the whole department a black eye and brought it disrepute.

"What sort of a conscience have you men got, anyway? The safety board has been honest and decent with you and you betrayed us and the public who pays your salary. I don't ever want to talk to you again. I'm through with you, absolutely through.

"Thank God, Judge Spencer had enough sense to see through your testimony when it came up in court and McGill wasn't sent to the penitentiary," shouted Diekmann.

Judge Spencer released McGill on his own recognizance.

EVANSVILLE COPS CONFESS TO 'FRAMING' COLORED PRISONER

Herald
Chicago, Ill.

EVANSVILLE, Ind., Sept. 30 — Three white police officers who framed a colored prisoner on a robbery charge to cover up a drunken orgy and their own wanton brutality, were dismissed from the police force here this week, and will be prosecuted. The victim of the plot was Granville McGill. 40 year old mechanic, who was beaten and shot by the three policemen on the night of May 26 when the three drunken officers came upon him parked in his automobile with a young white woman. The enraged white policemen dragged McGill from his car, beat the girl and sent her home, and then brutally beat McGill. When he attempted to defend himself, one of the officers, Ernest Lynn drew his revolver and shot him.

10-2-31

McGill was taken into custody and charged with "robbery with a gun," the officers claiming that they came upon him in the act of robbing a woman, and had to shoot him to capture him. Lynn, to support this charge, went to McGills's home and stole his revolved from a bureau drawer, which was offered in evidence of the robbery charge

Judge Orders Investigation

McGill spent several weeks in the jail hospital before he came to trial. In court, when the case first came to a hearing, McGill's attorney told Judge J. W. Spencer the true facts in the case, and over the protest of the officers and the chief of police, the judge ordred an investigation. The girl who was with McGill at the time of the shooting had been warned by the police to leave town but was located in another city and brought back to testify. She told the same story that McGill had told, and the three officers were grilled, and finally confessed to shooting McGill without cause.

Crime-1931

Kansas

White Boys Admit Negro Story About Shooting Was Lie

7-22-31

KANSAS CITY, Kans., July 22.—The story that two unidentified Negroes had shot and seriously wounded Albert Loncarich, white, was admitted to be false by the injured boy and two of h' companions, who lied to protect another member of their gang who had actually done the shooting. The truth ofthe affair was brought to light by the skillful questioning of police officers, to whom the "Negro story" sounded thin. Immediately after the shooting police scoured the Negro district looking for two men answering the description given by the boys. On second questioning the boys told a tale so different from the original that the police decided to question them further.

The actual story of the shooting revealed that Loncarish and Tony Vaile, recently released from the state reformatory, both white boys, had become involved in an altercation over a bottle of moonshine, and that Vaile had drawn his gun and shot Loncarich. He then begged the other boys to keep his name out of it as he was on parole and would be sent back to prison if it became known that he had done the shooting. True to gang ethics, all three boys, including the injured one, lied until their story about the colored men was exploded.

Crime-1931

Kentucky

SAVES LIFE OF WHITE NEIGHBOR

LEXINGTON, Ky., Mar. 5—(ANP)—Holt Everman, a 54-year-old white grocer, literally owes his life to Roy Johnson, one of his neighbors, who rescued him from certain death at the hands of a Negro bandit Tuesday night.

The bandit entered Everman's store just as he was about to close and commanded him to "stick 'em up." The grocer refused and the man attacked him with a knife. The white man was being slashed, after having been shot in both arms, when Johnson, who was watching the struggle from his home, came to his rescue.

When Johnson appeared in the doorway of the store the robber fired at him, but Johnson was a better marksman and killed his assailant and that of the white man with a shotgun. He told the officers that he was sitting in his home when he heard two shots. Looking out, he saw Everman on the floor, with a man standing over him slashing him with a knife. Seizing his shotgun, he ran to the store, arriving just in time to save the man's life. Everman was badly slashed about the hands and throat but will recover. The dead man has not been identified, but it is believed here that he is the holdup man who has terrorized operators of neighborhood stores for several weeks.

NEGRO SLAYERS DOOMED

Fulton Attackers Get Death Sentence at Elizabethtown Trial.

ELIZABETHTOWN, Ky., May 1.—(AP)—The second death penalty was meted out for the slaying of Thomas Tillery, a farmer, when Walter Holmes, negro, was found guilty here late today.

The jury was out 13 minutes, the same time as it took a previous one to give the death penalty to Walter Dewberry for the same crime. Charles Rogers, third negro indicted in the case, was called to trial as soon as the Holmes verdict was rendered.

Dewberry and Rogers were also wanted at Fulton, Ky., for criminal assault in two instances and authorities there made strenuous efforts to have the prisoners returned for trial

Crime-1931

Louisiana

MEMPHIS WHITES KICKING

NEW ORLEANS, Jan. 8—(ANP)—Charges of shooting and dangerously wounding were filed against Supernumerary Patrolman Joseph Cronin after he is alleged to have terrorized mourners at a wake at 1751 Religious street and wounded, probably fatally, George Simmons, 46, brother of the dead man.

The patrolman, said to have been off duty and drunk, has been dismissed from the police department.

Dressed in civilian clothes, Cronin walked into the front room of the house, where about thirty men and women were seated around the coffin of Louis Simmons. Drawing his revolver, the policeman ordered the frightened mourners to "stick up" their hands. George Simmons, who is partly deaf, failed to comply immediately. As Cronin walked toward him, Simmons slowly raised his hands.

"You're a bad nigger, huh?" Cronin is reported to have said. He then struck Simmons over the head with his pistol. As Simmons fell back the patrolman fired two shots into his body, one taking effect in his stomach and the other in his side.

The shots started a stampede for the front door and as the terrorized group fled, Cronin is said to have fired two shots into the crowd, but no one was struck. He was left in the dimly lighted little room alone with the corpse. Charles Dallas, 45, half-brother of the wounded man, ran to Sixth Precinct police station and reported the shooting.

Officers found Patrolman Cronin standing at the corner of Religious and Felicity streets, drunk, hatless and still holding his revolver in his hand. An ambulance took Simmons to Charity Hospital, where attendants pronounced his condition critical. Patrolman Cronin was booked at the Second Precinct and charged with being drunk and shooting and dangerously wounding. Inspection of the officer's revolver after the arrest revealed that it contained one loaded and four discharged cartridges.

Warden Is Accused Of Beating Negro Prisoner

NEW ORLEANS, Jan. 26.—(AP)—In the midst of charges and denials today, Philip J. Patorno, warden at the City House of Detention here and a former political ward leader was suspended from his position and was charged in Criminal Court with false imprisonment of a negro prisoner and assault on him.

The charges were filed by Dist. Atty. Eugene Stanley on information furnished by Frank Wade, 45-year-old negro who alleged that he had been locked up illegally in the "dungeon" of the prison and had been beaten while he was doing odd jobs at the home of the warden in Dumaine Street.

SHREVEPORT OFFICERS WITH BLACK FACES SLAIN IN RAID ON GROCERY STORE

Aim of Lookout Man Deadly, but He Is Killed by Other Cops; Mob Cheated by Death

DEATH CHEATS LYNCHERS

SHREVEPORT, La. — Death defeated a mob Sunday night when Lemain McDaniel, wounded Saturday night in a police raid which cost the lives of two policemen, died at 11:45 in Charity hospital as a mob of 1,500 milled about the hospital and swarmed into the corridors.

The superintendent immediately called three of the mob into the room and satisfied them McDaniel was dead.

SHREVEPORT, La.—Wearing overalls and their faces painted black in a police raid on a Negro grocery, Teddie Williams and Lee Allen Williams, were shot down and killed on Saturday night by Lemain McDaniel 40, at the store, which police believed was a gambling den.

McDaniel also was shot and critically wounded under a crossfire from guns of a squad of eight policemen under Chief of Police D. D. Bazer as they were trailing the two black-face officers, who were acting as the scouts on the gambling avenue.

The police said the scouts may have been taken for bandits by the lookout man as he fired.

Proceeding ahead of the eight policemen with Bazer, the two Williams officers, not related, approached the store where the lookout was posted.

Officers said the lookout first fired on Teddie Williams at the front door of the store, felling him, and then killed Lee Allen Williams as the officers in the advancing group poured volleys of shots in his direction.

Chief Bazer had set the middle of the night as the time to decoy the gambling element down in the Negro section of town into the raids, and had stopped at one place across from the store of McDaniel.

His squad of eight was trailing about a block behind the masked scouts, who were seeking to surprise the alleged gamblers.

Hearing the shots across the street, Bazer and his men pulled their guns and ran up the to the store, firing as they ran.

The police in Shreveport and the sheriff's office of Caddo parrish lately have been engaged in a hard campaign against the criminal element since the outburst of bank robberies and other holdups in the section, and tonight the chief decided to strike against the gambling element.

He blackened his scouts and led the raid, expecting to deceive the gamblers and thus turn the trick into a coup. Instead of discovering gambling, he lost two officers.

Exceptional Stupidity.

Two police officers were killed at Shreveport, La., late Saturday night. Their deaths may be blamed upon unbelievable stupidity somewhere up the lists of Shreveport's police roster. **The official who planned the strategic raid upon a negro gambling house and ordered the two officers to black their faces in order to serve better as "advance scouts" for the raiders should be commanded to resign his post by an indignant public.** A melodramatic impulse or an innate urge to frankishness left over three and a half months after Halloween cannot justify this kind of police work.

The negro has enough to put up with in the lawless inclinations of a misguided element of his own race without being imposed upon in this stupid fashion by white officials to whom he looks for protection.

NEGRO TORTURED INTO GIVING UP MONEY

White Men Forced Him to Reveal Hiding Place

Eunice, La., Nov. 13—Three unidentified white men tortured Gustave Frudge, colored for four hours at his home near here today to get him to reveal the hiding place of $830 he had put away.

His fingernails were pulled out with pliers, his body was jabbed with an ice pick and threats were made to tie him to a tree and burn him, he said.

When the threats of burning were made he gave in and took the men to the place where the money was concealed. After getting the money the trio fled in two autos, Frudge said.

They had gained admittance into his home by telling him they were prohibition officers.

Six Men Held In Dynamiting Case

ALEXANDRIA, LA., April 20.—(AP)—Six men were charged today with the dynamiting of road machinery last week in North Rapides Parish, said by officers to have been inspired by discontent over employment of negroes in road construction work.

The charges filed today were the first since the arrest of 10 men following the blasting of machinery valued by the Philpot Construction Company of Pine Bluff, Ark., at $35,000.

Judge J. B. Nachman issued warrants today against Isom Honeycutt, Jules Tison, Silas E. Barton, Herman Brown, Chester Cline and Alton Cline. They are charged with possession of explosives with malicious intent to destroy property.

Dist. Atty. Cleveland Deat said that two other men probably will be similarly charged in Grant Parish. He said conviction of the charge carries a maximum penitentiary sentence of 20 years.

J. B. Pollard, night watchman at the road camp at the time of the dynamiting last Wednesday, and who was among the first men arrested, later was released.

Crime - 1931

Maryland

RITCHIE PAROLES 10 PRISONERS FOR XMAS

Tribune

Ten Colored Among 29 Given Freedom For Xmas Holidays

12-25-31

Baltimore, Md.

Governor Ritchie will grant twenty-nine paroles for prisoners in time for the men to spend their Christmas at their homes. The freedom will become effective on December 22.

Ten of the men to be given their freedom are colored and were for the most part sent to prison for larceny and robbery. In regard to the paroles of the ten colored prisoners the governor's statement follows:

HERBERT ROSS—Sentenced by the Circuit Court of Anne Arundel county to three and a half years in the Penitentiary for stealing a quantity of tobacco. About thirteen months more of his term remain. THe has been a good prisoner and will be under excellent supervision.

THOMAS BOWEN — Sentenced by Police Magistrate of Baltimore City to one year in the House of Correction for assault. Four months more of his term remain. About fifteen years ago he got into trouble three times on larceny charges. Since then he built up a good newspaper business. He got into a fight with a pushcart man. I think he has been sufficiently punished.

ALBERT WILLIAMS — Sentenced by the Circuit Court of Prince George's county to ten years in the Penitentiary for manslaughter. About four years and two months more of his term remain. He killed his wife during a drunken quarrel because of jealousy. The

and feeding going on, money is be-

(Our Richmond)

State's attorney favors parole, and he is well spoken of by reputable citizens. He had a good deal of provocation because of his wife's conduct.

ROLAND HILL (col red)—Sentenced by Prince George's county police magistrate to one year in the House of Correction for driving under the influence of liquor. Slightly more than four months of his term remain. He was one of a party of six Negroes who were all drinking in the car. One of the girls fell out, and when they stopped to get her, another car bumped into them from the rear. No one was hurt. He has a good work record and I think has learned his lesson.

Tribune

JOHN KELLY (colored)—Sentenced by Somerset county police magistrate to eighteen months in the House of Correction for carrying a deadly weapon. Nine months more of his term remain. He was found asleep in a friend's car with a pistol in his possession. He had made no attempt to use it. A job has been promised him in Virginia.

12-25-31

JOHN BROWN (colored)—Sentenced by the Circuit Court of Calvert County to eighteen months in the Penitentiary for larceny of a pig. About eight months more of his term remain. He appears to have been led off by bad associations and is well spoken of in his community. His former employer will take him back and supervise him.

Washington D.C.

ROBERT E. WARFIELD and CHARLES SIMMS (both colored) —Sentenced by the Circuit Court of Montgomery County to two years in the House of Correction for house-breaking. Something less than one year of their terms remain. These two young Negroes and a companion stole a barrel of hard cider and drank it until the aunt of one of them came and poured it out. They will be employed by a reputable farmer, and I think will be better off at work.

AVERY JONES (colored)—Sentenced by Worcester county police magistrate to six months in the House of Correction for driving a car under the influence of liquor. There was no accident and no one was hurt. This young Negro has a good work record and his term is up the end of this month. He will be let out for Christmas.

Reduction of Sentence

ROBERT SPRIGGS (colored)—Sentenced by the Circuit Court of Frederick County to twelve years in the Penitentiary for carnal knowledge. He has only served about two years and nine months of his term, but the sentence was extremely severe and by far the longest for such an offense which I have known. The young man has always borne an excellent reputation and was most industrious. The colored girl in question and her mother are both urging clemency He is promised a very good position and a number of reputable people have entire confidence in him. His sentence will be reduced from twelve years to three years, which, with time off for good behavior, will let him out now.

Crime-1931

Michigan
6

NO COLOR LINE IN CRIME

THE country has recently been treated to an unusua murder. It appears from the facts obtained through the daily press that two young white men accompanied by a colored lad went out and filled themselves with gin to the point of drunkenness and then attacked some young people who were engaged in love-making as young people are wont to do. It appears from the facts established that murder was committed by one of the three young men and that after the murder had been committed, an effort was made to destroy the victims by the use of gasoline. Just how far the destruction of identity went is of little consequence. The fact remains that murder was committed by these three young men.

Needless to say these young white men knew better than to commit murder. The same may be said of the colored youth. He, too, knew better than to commit murder, but the point we wish to make is that criminals are not interested in color and crime knows no color line. The depravity of heart was as emphatic in the white boys as it was in the colored lad. The three of them consumed too much liquor and the three of them committed the crime. The case as disposed of shows all three to have participated in the crime because all three of them have been given life terms in prison.

Of course, prohibitionists will say that the gin had nothing to do with the crime, but any number of people will say that the gin consumed by the three young men had a great deal to do with the crime. When those three young men became intoxicated one was as unmindful of his duty as the other; and one was as ready to commit crime, and all of them were equally non compas. Liquor will make a white man as drunk as it will make a colored man and the influence of liquor is as deadly on a colored man as it is on a white man. The whole case is an argument against the present method of making and selling gin and moonshine indiscriminately in all parts of this country.

While we have no desire to excuse the colored lad, it can be stated with some degree of certainty that those white boys, whether drunk or sober, wielded a stronger influence over him than he wielded over them. He followed where they led and all of them followed where the gin and liquor led. It is useless to say that Negroes commit crime more readily than whites; and it is likewise just as useless to say that whites are any less susceptible to criminal conduct when drunk than are Negroes. In short, liquor has the same hellish influence over one man as it has over another regardless of his color; and one man will commit crime as readily as another when he is absolutely under the influence of poisonous liquor. Crime knows no color.

The case as recited is further argument against the present method of handling intoxicating liquors in this country. In the language of Mr. Hearst, "What are we going to do about it?"

SALT LAKE CITY, UTAH
UTAH TRIBUNE
AUG 15 1931

Repetitions in Crime

TWO white men and a negro have just been sent to prison for life in Michigan to atone for the atrocious murder of two boys and two girls of high school age. The judgment is in thorough keeping with the crime, so far as laws of Michigan permit it to be. It is the severest sentence the state can give, which no doubt accounts in some measure for the efforts of a mob to exact penalties beyond the pale of the law.

The Michigan case is wholesome only in the alacrity with which the trio was tried and sentenced. It is significant of the evil trends in the public mind, which have been led by maudlin sentiment to aid perverts and criminals. The trial judge wasn't far wrong when he indicated that the world would be better off without such types.

In this connection it is significant to note that two of the trio are men who have been released from prison. The sobsisters will tell you that they learned this stuff in prison, will fail to attach any responsibility to the pardoning power which turned them loose before their time. There is but one way to deal with crime and that is to use the same sort of methods that the criminals use. That is why criminals respect the law of the gang, the rule of force, while they laugh at the law of the land. It is most unfortunate that the pardoning power cannot be held personally responsible for the future conduct of their charges.

ALLENTOWN, PA.
CALL

Today Michigan realizes that there are some crimes so heinous that death only should be the penalty. Mobs that appeal to lynch law express this thought and emotion and today Michigan agrees with the mob in this conviction and emotion.

AUG 15 19..

LIFE TERMS ONLY FOR MOST HEINOUS MURDERERS

That society can be savage and yet just in the enforcement of its statutes, particularly those which govern in cases of murder, is illustrated in the Michigan affair in which three murderers were sentenced to life imprisonment in only three hours and twenty minutes of trial and a trial that followed their detection, arrest, and confession within another few hours.

In less than a half a day a trio of just about as depraved and brutal men as the annals of American crime record had been saved from five attacks by mobs intent upon lynchings and were on their way to life imprisonment.

Today, Michigan is sorry that it abandoned capital punishment for life imprisonment in first degree murders.

Crime-1931

Mississippi

RACINE, WIS.
JOURNAL NEWS

APR 11 1931

UNANIMITY IN MISSISSIPPI

As the sheriff of Washington county, John Sterling, desired to attend a convention of peace officers in Jackson, Miss., Gov. Bilbo stayed the execution of two Negroes from April 8 to April 24. This is what we might call casual clemency.

The two Negroes made no objection. If they have good-natured attorneys, they might dig up a grave plea for a reprieve.

NEGRO IS HANGED FOR MURDER OF PLANTER

Commercial Appeal

Cleveland Nelson Pays Penalty at Meridian.

5-9-31

MERIDIAN, Miss., May 8.—Cleveland Nelson, 20, negro, was hanged in the county jail here this afternoon for the murder last October of Andrew Price, prominent Lauderdale County planter, and former Toomsuba merchant.

The trap was sprung at 2:20 o'clock and he was pronounced dead at 2:35 o'clock. His death was by strangulation.

When asked if he had anything to say the negro replied: "I want to thank all of those who have been so nice to me. Forgive them for what they are about to do; they know not what they are doing."

A large crowd milled about the county jail during the hanging, having gathered there hours before.

Cleveland, Clinton and Dock Nelson, negro farm hands, were each tried and convicted for the murder of Mr. Price, the state's evidence showing that the slaying was the culmination of a plot of the three brothers, following a difficulty between Cleveland and the planter on the morning of the day of the killing.

Clinton, 18, is now under sentence of death, his appeal to the supreme court not having been passed on. Dock, 24, was convicted, but the jury in his case was unable to agree on the punishment and he was sentenced to life imprisonment which he is now serving, not having taken an appeal.

Cleveland to the last was emphatic in denying that Clinton and Dock had anything to do with the killing, saying that he alone was guilty.

The murder of the Toomsuba planter greatly aroused the people throughout the Toomsuba section of the county and when the three brothers were arrested Judge J. D. Fatheree called a special term of the grand jury.

Ax-Slayers Must Hang July 17

Advertiser

6-13-31

Two Negroes Convicted Of Double Murder Are Given Death Sentences

Montgomery Ala.

WATER VALLEY, MISS., June 12—(AP)—Emmett Shaw, 40-year-old negro and Sam Whitaker negro youth, testified before a Yalobusha county jury today that he and Shaw plotted the ax murders of Will B. Wagner, Water Valley bank president and merchant, and his wife as an act of revenge, were sentenced tonight to be hanged July 17 for the double slaying.

Sentence was pronounced and the date of execution fixed when a Circuit Court jury, after deliberating six minutes, found Shaw guilty of murder in the first degree for the slaying of Mrs. Wagner.

Whitaker was found guilty last night of the same charge in connection with the killing of Wagner, 64-year-old bank president and department store owner.

Wagner and his wife, Mrs. Mamie Wagner, 60, were beaten and hacked to death in their home here May 4.

Whitaker, a houseboy in the Wagner home, testified at the trial of Shaw tonight that he and the middle-aged negro plotted the slaying in revenge for a slapping given Whitaker and the refusal of Wagner to pay a fine assessed Shaw for a minor theft. Shaw formerly was a porter in the Wagner store.

As related by Whitaker, the two hid in a barn at the Wagner home and when Wagner came into the yard to inspect a peach tree he felled him with an axe. Going into the house, the negro said, he struck Mrs. Wagner down with the ax and accused Shaw of stabbing both with a butcher knife.

Ax-Slayer Gets Death Sentence

Advertiser

6-13-31

WATER VALLEY, MISS., June 11.—(AP)—Sam Whitaker, 18-year-old negro accused of the ax slayings of W. B. Wagner, Water Valley bank president and merchant, and his wife, was found guilty early tonight of murder in the first degree.

Montgomery Ala.

A verdict of "guilty as charged" on an indictment charging murder in the first degree for the killing of Wagner was returned a few minutes before 6 p.m., 11 minutes after the trial closed and the case was passed to the jury for its finding.

The verdict carries with it the death penalty.

Court adjourned as soon as the verdict was recorded and the courtroom was cleared within a few minutes.

Tomorrow Emmett Shaw, a 40-year-old negro—like Whitaker, a former employe of the slain banker—will face another jury to be tried for his life on the same charge.

Two indictments charging murder were returned against each of the negroes. Today the State elected to try Whitaker for the slaying of Wagner. Tomorrow Shaw will answer for the killing of Mrs. Wagner.

Atlanta, Ga., Journal
Saturday, June 13, 1931

Two Negroes Doomed To Die for Slaying Of Mississippi Couple

WATER VALLEY, Miss., June 13.—(AP)—Two negroes Saturday were under sentence to pay with their lives for the slaying of Will B. Wagner, Water Valley bank president and business man, and his wife, Mrs. Mamie Wagner, who were beaten and cut to death in their home here May 4.

Sam Whitaker, 18-year-old house boy in the Wagner home, and Emmett Shaw, 40, a discharged store porter, were sentenced to death Friday night in Circuit Court here on jury verdicts of murder in the first degree. Judge Creek Rice, who pronounced sentence, fixed July 17 as the execution date.

Adel Whitaker, 17, who pleaded guilty to a charge of accessory after the crime, was sentenced to five years' imprisonment. Trials of the negroes occupied two days of a special court term. Shaw protested his innocence and, after the verdict was returned, pleaded with the court for a life sentence. Whitaker, testifying in the trial of Shaw after his own conviction, told the jury that he and Shaw plotted the slaying as an act of revenge—Whitaker because he had been slapped by the banker and Shaw because the banker, his former employer, would not pay his fine, imposed for a minor theft.

NEGRO YOUTH TO HANG FOR COUPLE'S MURDER

Commercial Appeal

Found Guilty by Jury at Water Valley.

6-12-31

VERDICT IN 11 MINUTES

Memphis Press

Judge Greek Rice Will Set Date for Execution Today—Second Negro Goes on Trial This Morning for Ax Slaying.

Special to The Commercial Appeal.

WATER VALLEY, Miss., June 11.—The gallows will claim the life of Sam Whitaker, 18-year-old negro, for the ax murder of Will B. Wagner, president of the Water Valley Bank, here May 4.

Whitaker was found guilty of first degree murder this afternoon by a Yalobusha County jury at 5:56 o'clock after deliberating only 11 minutes. The verdict automatically carries the death penalty and Judge Greek Rice will sentence the negro to hang and set a date after the trial of Emmett Shaw, 40, also charged with the murder of the banker and his wife, is completed tomorrow.

Pleaded Insanity.

Whitaker, indicted Tuesday morning on two counts, confessed the crime shortly after being arrested, but pleaded not guilty through his attorney, Kermit Cofer, appointed by Judge Rice to defend him. A plea of insanity failed to sway the opinion of the jury that the negro was guilty as charged. He was tried on only one count, that of killing Mr. Wagner.

An ominous quiet settled over the courtroom this afternoon as the jury announced it was ready to render a verdict. The crowd, estimated at 1,500 and which not only jammed the small courtroom but stood in the corriders of the courthouse, arose in a body as the jurors filed in. There was no demonstration, however, and special deputies assigned to guard the negro experienced no difficulty in keeping or[illegible].

Whitaker did not take the stand. His sister, Adelle, who will receive the maximum sentence of five years on the charge of accessory after the fact, told the jury of being forced by her brother and Shaw to help bury the bodies. She discovered them in the act, she said, when she was sent to the Wagner home by her mother on the night of May 4 to see what was detaining her brother.

Tells of Confession.

Other state witnesses who took the stand to help place the stamp of guilt on Whitaker were L. C. Barbour, the Wagner cook; Carrie Wiggins; Rufus Treloar, assistant undertaker; Mayor Frank DeShone; Dr. S. J. Coulter; Marshal Leonard Redwine; Mrs. J. T. Vaughn, who saw a negro alight from the Wagner car the night of the murder, and Deputy Sheriff S. A. Tomlinson of Leflore County, who, with Sheriff C. A. Doyle, obtained the confession from Whitaker while the pair was confined in the Greenwood jail.

Completion of the selection of the jury from a special venire of 50 men was completed this morning at 10:30 o'clock. Testimony began shortly after and the case was turned over to the 12 at 5:45 o'clock.

Milton Thompson, district attorney of Senatobia, in his argument for the state, paid high tribute to Kermit Cofer, appointed to defend the negro. This was the first major case for the youth, recent graduate of Ole Miss. Mr. Thompson was preceded in the arguments by Cofer. H. H. Creekmore, special counsel, retained by William Wager, son of the slain couple, opened the arguments.

Commercial Appeal

Shows No Emotion.

Mr. Wagner, his uncle, A. G. Wagner, and a cousin, L. B. McLarty, were present during the day and when the verdict was returned. Whitaker, baby-faced and who appeared to be at a loss as to what it was all about, sat nearby.

6-13-31

The negro showed no emotion when the state exhibited the bloody clothes, nor did he appear abashed when the ax with which the couple was murdered, was shown the jury.

Shaw, who has never acknowledged his part in the crime, will go on trial tomorrow morning to answer the charge of killing Mrs. Wagner. The smallish, insignificant looking negro tried to leap from a second story window in the courthouse yesterday morning but was prevented in his attempt to escape by Special Deputy T. M. Kimsey. There was no gun play for the officer reached the negro before he had a chance to jump.

Memphis Press

The murder of the Wagners, one of the most atrocious ever committed in this section, was discovered on the morning of May 5. Their bodies had been hacked with an ax and then buried. The body of Mr. Wagner was found near the home in a shallow grave and his wife's was found a mile from town, having been tossed into a gully by the slayers, who carried her there in the Wagner car.

The negroes were arrested on the afternoon of May 5 and then carried to Greenwood for safe keeping.

Revenge Was Motive.

Revenge was established as the motive for the slayings. Whitaker, former house boy for the Wagners, and to cover up their crime, offic- was slapped, reprimanded by Mr. ers said, the negroes then ended Wagner the morning before the her life. murder. Shaw had been previous- ly fired by Mr. Wagner as porter at his store after refusing to pay a fine for the negro after a ham had been stolen.

Mr. Wagner was killed first, Mrs. Wagner frightened the pair when she approached from another room,

NEGROES UNDER GUARD OF STATE MILITIAMEN

Commercial Appeal

Expect Indictments Today in Water Valley Killings.

6-7-31

WOMAN PLEADS GUILTY

Memphis, Tenn.

Sister of Accused Slayer Indicted in Fiendish Ax Murder

Speedy Trial Looked for If the Grand Jury Takes Action.

Special to The Commercial Appeal.

WATER VALLEY, Miss., June 8. With the grand jury expected to return first degree murder indictments tomorrow morning against Sam Whitaker, 19, and Emmett Shaw, 40, negroes, for the murder of Mr. and Mrs. W. B. Wagner on May 4, following the confession and guilty plea today of Whitaker's 16-year-old sister, Adelle, Water Valley tonight had assumed the aspect of an armed camp.

Despite the fact that there is no indication of disorder, the bayonets of 110 state troopers, consisting of detachments from National Guard units at Aberdeen, Senatobia, Clarksdale and Grenada, bristled late tonight around the courthouse. The first detachment arrived shortly before 6 o'clock and the others soon after, all under personal command of Adjt. Gen. Hairston of Jackson.

Refused to Announce Jail.

The two negro men, held for weeks in jails that officials refused to name, were scheduled to arrive at the Water Valley jail during the night and be ready for immediate trial if indictments are returned. It was understood that attorneys for the negroes might ask for a special venire, which would delay the trial for 24 hours.

Otherwise the taking of testimony might begin tomorrow afternoon. It is expected that the case will be speedily concluded. It is also reported that Whitaker might submit a plea of guilty as charged and depend upon the mercy of a jury, which under the law must hear the testimony before arriving at the degree of punishment. Shaw, it is understood, is preparing to fight charges that he aided Whitaker and his sister in the crime.

The grand jury met in special session this morning and a short time later reported an indictment against Adelle Whitaker on charges of being an accessory after the fact. The girl was suddenly produced in court by officials and she admitted her guilt. Sentence was deferred.

District Attorney M. H. Thompson, who will prosecute the negroes, said that Adelle implicated both her brother and Shaw in the crime. The girl had been sent to the Wagner home by her mother to see why Whitaker was detained and upon arrival she found Whitaker and Shaw trying to bury Mr. Wagner's body. Mr. Thompson quoted her as saying they compelled her to help dig the shallow grave, she told him, and also helped drag Mrs. Wagner's body from the house into an automobile and carry it a mile from town where it was interred in another shallow grave.

Grudge Against Wagner.

Whitaker was houseboy for the Wagners and Shaw had worked as porter at the Wagner store, but had a grudge against Mr. Wagner because the merchant-banker would not pay his fine for stealing a ham, the state charges. The special term of court was called by Judge Greek Rice to try the negroes.

When the grand jurors recessed for the day late in the afternoon, they had made no further report of indictments. It was generally understood that news from the grand jury room was censored with a view of keeping down as much excitement as possible.

The grand jury may also act upon rioting charges preferred by Sheriff Doyle against Gerald Kelley, reporter for the Memphis News Scimitar, who was arrested by the sheriff while the negroes were being spirited away after the crime was discovered.

NEGROES WILL HANG JULY 17 FOR SLAYINGS

Commercial Appeal

Pair Sentenced for Water Valley Murders.

6-13-31

SECOND JURY REPORTS

Memphis Tenn.

Find Verdict in Six Minutes; Negro, on Stand, Tells How Couple Was Killed in Home. City Is Quiet.

Special to The Commercial Appeal.

WATER VALLEY, Miss., June 12.—Two negroes will march to the gallows July 17 to pay the supreme penalty for the ax murder of two of Water Valley's most prominent citizens May 4.

Sam Whitaker, 18, and Emmett Shaw, 40, were sentenced late this afternoon by Judge Greek Rice to hang on that date after a Yalobusha County jury found Shaw guilty of the murder of Mrs. W. B. Wagner, 60, Whitaker was found guilty yesterday by another jury on the charge of slaying her husband, Will B. Wagner, 64, president of the Water Valley Bank.

The pair was indicted Tuesday morning on two counts each of first degree murder. They were tried separately, each answering one of the indictments.

Jury Out Six Minutes.

Judge Rice sentenced them an hour after the jury had rendered the verdict this afternoon. The immense crowd gathered to hear the decision had dispersed and there were only a few stragglers in the courtroom when the pair heard the judge pronounce the death sentence. The jury reported today six minutes after receiving the case.

Shaw, who unlike Whitaker, had never admitted his part in the crime, pleaded his innocence to Judge Rice when arraigned to hear the sentence. He asked that he be allowed to serve a life term in the state penitentiary.

In the Shaw trial today Whitaker took the stand to relate the story, grewsome in its details, of how he and Shaw, both former employes of Mr. Wagner, had planned and then taken the life of the couple with an ax and pocket knife at the Wagner home here on the night of May 4.

Planned the Murder.

The youth said they planned the murder shortly after noon that day. That night, Shaw hid in the barn near the house and Whitaker secreted an ax on the back porch. When Mr. Wagner emerged from the kitchen with a flashlight in his hand Whitaker hit him over the head with the ax. He then said he went into the house and coming upon Mrs. Wagner, struck her.

"I then started to run," he said "but Shaw had come from his hiding place and told me not to be afraid. He then took his pocket knife and jabbed it in their throats.

"We then dragged Mrs. Wagner from the house, put the body in her car, took it from the garage and tossed her in a gully near town. After bringing the car back, we then buried Mr. Wagner. We hid his coat in the barn."

The ax was identified by Whitaker as the one used in the crime. He accused his sister, Adelle, 17, but she had previously confessed, telling the jury that her brother and Shaw forced her to aid them in burying the bodies when she went to the Wagner home that night. The bodies were discovered the next morning.

The girl was given the maximum sentence of five years on the charge of accessory after the fact.

Whitaker and Shaw were returned to the Greenwood jail this afternoon where they will be held until they go to their death. They were confined at Greenwood before the trial, having been carried there the day after the crime to protect them against possible mob violence.

Special deputies have guarded the pair during the trials, State militiamen who first ordered by Sheriff C. [illegible] but were recalled when he decided he could take care of the situation.

Water Valley has been quiet and there has been no semblance of a demonstration. Deputies experienced no difficulty in handling the large crowd from this and adjacent counties which jammed the courtroom and courthouse corridors to see the pair and hear testimony relating to one of the most sordid and atrocious crimes ever committed in this section.

Son Not Present.

Neither William Wagner, son of the slain couple, nor any other members of the family were present this afternoon when Judge Rice pronounced sentence. They heard testimony in the trial, however.

Revenge was the motive for the slaying, Whitaker had been reprimanded by Mr. Wagner the day before, and Shaw had been fired as porter at the Wagner store several weeks previous.

2 Negroes Hanged For Ax-Slaying Of Couple

Montgomery Ala.

WATER VALLEY, MISS, July 17—(AP)—The State today claimed the lives of Sammie Green Whitaker, 18, and Emmett Shaw, 40, negroes, for the murder of Mr. and Mrs. W. B. Wagner, prominent Water Valley residents on the night of May 4.

Wagner, a banker and merchant, and his wife, were slain in their home with an axe and the bodies buried nearby in shallow graves.

The two negroes, both of whom were employed by the Wagners, were tried at a special term of court early in June and were quickly convicted. Officers said they confessed the crime.

Whitaker was hanged first, going to the gallows just after 11 o'clock. He was followed by Shaw a few minutes later. Both were calm. Hundreds gathered from the countryside in Water Valley while the executions were conducted, but there was no disorder.

MISSISSIPPI HANGS 2 NEGROES FOR MURDER

WATER VALLEY, Miss., July 17. (AP)—Sam Green Whitaker, 18, and Emmett Shaw, 40, negroes, were hanged here today by the sheriff for the slaying May 4 of Mr. and Mrs. W. B. Wagner, prominent residents.

The two negroes were brought here from Greenwood, where they had been in the LeFlore county jail.

Crime Punished, Law Upheld and No Aftermath

Commercial Appeal

Last May at Water Valley, Mississippi, the most brutal crime of many years in this part of the country was committed. W. G. Wagner, an aged banker, and his wife were slain most fiendishly in their home. They were attacked with an ax and horribly mutilated. Then their bleeding and disfigured bodies were taken from the scene of the murder. Poor attempts to hide the double crime were made when the two victims of the cruel slaughter were buried in shallow graves, one being taken about three miles from the scene of the murders.

Memphis Tenn

Sam Whittaker, 18-year-old house boy of the Wagner's, was suspected and arrested. A day or so before the killing the boy had a disagreement with his employer. Under questioning Whittaker confessed and implicated Emmet Shaw, a 40-year-old negro, in the killing. Shaw, it developed, also had a fancied grievance against Mr. Wagner. Whittaker furthermore involved his own sister by admitting that she helped to hide the bodies. The woman was convicted and given a five year's term in the penitentiary.

7-14-31

The details of the confession, in which Whittaker said that Shaw cut the throats of the aged couple while he himself hacked their bodies with an ax, shocked the whole south. It was the kind of cold blooded and fiendish crime that is provocative of the spirit of blood vengeance. A few years back it would have been impossible to control the assertions of the mob that would have sprung almost spontaneously into being at the news of the confession. But we are in a new day. The long campaign waged by newspapers and public leaders, together with the newer thought of the people concerning both the sanctity and efficacy of lawful procedure had its effect at Water Valley.

There was no lynching. Neither was one attempted. The outraged people sternly awaited the processes of the law. The two negroes were brought to trial. They were given all of their constitutional rights and they were convicted by a competent and lawful jury. Their sentences were confirmed and they have been executed. So, one of the most atrocious crimes in this section of the country has been punished as severely as it could have been punished by a lawless mob. Death was all that a mob could have assessed and death has been inflicted. Moreover, the law has been vindicated and there can be no aftermath of criticism from other sections of the country.

It would be well, then, if the associations that gather and publish statistics about lynchings should include the whole story of the Water Valley case in its next report. The averting of mob violence in this case means much more than the record of lynchings for the present year, no matter whether that record shows a decrease or an increase. It can well be said that the days of the mob are numbered when the agencies of the law prove supreme in a case so irresistibly provocative to mob action as the Water Valley double murder was.

Mississippi

Crime - 1931

Negro Is Sentenced To Death On Murder Count

Nov 21 1931

JACKSON, MISS., Nov. 20.—(AP)—Charlie Wright, Amite County negro, was sentenced to hang here Monday, Dec. 21, after he was convicted by a Hinds County Circuit Court jury late today for the murder of Mayor L. M. Ratliffe, of Liberty, on the morning of Oct. 29.

The jury returned its verdict of "guilty as charged" within three minutes. The murder trial was one of the speediest in the history of Hinds County, being exceeded in brevity only by the trial and conviction here in 1927 of Walter Burley, negro slayer of two Hinds County women.

Summing up the evidence as offered by six State witnesses during the morning, Dist. Atty. John H. Howie, pictured Wright as a "fiendish murderer" who slew Mayor Ratliffe and attempted to kill another officer, Deputy Sheriff C. T. Hazlewood in an effort to gain his freedom.

The Amite County officers were bringing Wright an escaped convict to jail here for safekeeping when he obtained possession of Sheriff Hazlewood's gun fatally wounding Mayor Ratliffe and slightly wounding Hazlewood before being disarmed.

Crime-1931

CONVICTED MUSICIAN GIVES 'INSIDE STORY' OF MISSOURI JUSTICE

Rudolph Gibson, Found Guilty on Trumped Up Charge of Rape, Tells How They Find You "Guilty" When You Are Innocent.

By RUDOLPH GIBSON

(Special Release from the A.N.P.)

KANSAS CITY, Mo., Oct. 15—I have had an experience that I had often thought about many times. That experience is how a convicted man feels. My experience is a bit more complex, for I was an innocent man. It is bad enough to be convicted for a crime if you are guilty, but to have to pay the penalty for a crime you did not commit is about one of the worst things I can imagine.

Not only was I charged with a crime I did not commit, but when the authorities first had me down to answer for the murder of Mrs. Houlihan and were satisfied that I was innocent of her murder, before I was released from questioning I was immediately charged with raping an 18-year-old white girl, a crime of which I was equally innocent. It seemed that I had to be guilty of something.

But the charge of rape stuck, and my case from then on was to prove in some way, that I was innocent. But I was convicted. When the jury on my case read its verdict and sentenced me to serve 25 years in the Missouri state penitentiary, it seemed to me that something went dead inside. I was seated and a court attendant commanded me to rise when the verdict was read but I remained seated for it seemed too great an effort to stand. On the way to the jail the detective told me I was lucky to get 25 years, but I felt down-hearted.

FIRST TIME IN PRISON

I had never before been inside a prison, but all during the day and night I visualized scenes and horrors of the inmates at Jefferson City. I thought of the years of study and preparedness I had done in an effort to make my life worthwhile. I considered them wasted now. I knew that even 10 years confined in a prison would wreck my life. I tried to tell myself that I would be a man and bear it, but another thought would come to me filled with horror and disgrace, and I would wish for an end of it all. Still slumbering beneath it all was a faint hope that the truth would prevail and somehow I might become free.

LOVES FREEDOM

I love freedom and all my life hated confinements. I wanted to travel to places I would read about. And now to think I would be confined within stone walls for years was unbearable. I'd lie awake nights thinking about it and couldn't sleep. I suppose I just wore my body out until it fell asleep from its own fatigue.

After being confined in the county jail for several months, I seemed to have a better appearance but the ache was still in my heart. I seldom mingled with the other prisoners but remained in my cell reading and writing letters which was my only consolation. I could not sleep as well as I did before I was arrested. My appetite was very bad and I would eat only enough to keep life in my body. I believe if I had thought that I would never get out of it I would have eaten nothing. To me the sentence seemed worse than death.

KEPT UP FIGHT

Meanwhile my attorneys had kept up a constant fight for a new trial, but their request was denied several times. I had no hope of the court granting me a new trial. But suddenly it came. Judge Ben Terte remarked that he did not care if it was law or not, that if I were innocent I should have a chance to prove it. He added that he did not know whether I were innocent or guilty, but sustained the motion for a new trial. Already I felt like a new man for here was hope anew. It meant that at least I would have another chance for freedom.

From that day I began to act human. I could eat more and sleep better, and life meant something to me. Before I had no interest in reading, merely reading to pass away time. Now I read with interest and enjoyed it. It was like being born again. Let me recount my experiences from the very beginning.

FIRST ARRESTED

On the morning of January 13, I was at home playing the piano and conversing with my father. Presently, I noticed two white men standing on the front porch. They knocked and asked who lived here. I told them my name, and they told me the chief of detectives wanted to talk with me. I went to the station with them. On the way down, I learned their names were A. P. Ellison and Herbert Hix and that they had arrested me on a charge of murdering a white woman.

Mr. Thurman, chief of detectives, was apparently busy for I was locked in a cell for a short time. Later I went into Mr. Thurman's office and he proceeded to tell the story of how a white woman was found dead and explained that I might as well confess as he had the goods on me. I told him I knew nothing about the murder. He called me several names unprintable, and the detectives reminded me that "niggers were not treated nice down here."

BEGIN "THIRD DEGREE"

All the morning they used different methods to make me confess killing the white woman. "Why should I say I killed a woman if I didn't?" I told Thurman. He replied "now nigger, I know you killed this woman and come clean and tell me about it." He continued talking this way until about midnight when I was again locked up in a small cell with two men. I had to either remain standing or sit on the floor. That night seemed one of the longest in my life.

The next morning I went through the "show-up" three times and then back to Thurman's office. When I entered, a red-headed young woman was talking to several men. She glanced at me several times. Chief Thurman told me this was the woman I had attacked. I replied that I had never seen her before. She spoke right up and said that maybe I had not seen her for there was no light in the room that night. She then related to the detectives all the facts concerning the crime and when the stenographer who had typed the story had finished, she signed the paper. She then left the room and several detectives entered.

KNOCKS GIBSON DOWN

Again Thurman told me to come clean and confess. I replied that I knew nothing about the crime. Thurman became very angry and someone hit me near the left ear and knocked me to the floor. As I attempted to rise I was struck again, knocked down and kicked. This performance was repeated over and over again many times until I was so sore and numb I couldn't feel the pain as their fists and shoes struck my body.

Two of the detectives assisted me to a chair near Thurman, and once again he asked me to confess to the attack of the white woman. I told him at least one hundred times that I knew nothing about the woman; didn't commit the crime, and didn't know anything about it. The detectives began to beat and kick me again. They punched, beat, and kicked me until they were tired, and once again placed me in the chair. Thurman told me he would kick me in the mouth if I repeated again that I didn't commit the crime.

THREATENED TO LYNCH

One detectives asked me if I had read about the Maryville lynching of Raymond Gun the day before. I told him I had. Then everyone discussed the lynching and some said they were at the scene of the burning of the "nigger." They asked me how I would like to be lynched, and told me that if I didn't confess to this crime that I would be lynched also. They even told me a mob had formed outside the building. I was scared that these men might turn me over to the mob if they were really outside, but still I didn't want to tell them I had done something when I knew I had not.

It was now about 4 o'clock in the afternoon, and I had not eaten anything all during the day. I was hungry, and sore and my body ached terribly. I couldn't sleep the night before and it seemed to me that I was on the verge of dropping dead.

CHIEF ORDERS BEATING

Chief Thurman was now very angry and gave orders to his men to carry me to the basement and beat me until I confessed. I can't describe my condition, but anything but another beating at that time would have been welcomed. Finally, I told Thurman I would confess if the men would not beat me any more. He readily promised and Ellison and Hix dictated the statement to the stenographer word for word. I read the final paragraph of the statement and I refused to sign it when I read that it contained the idea that I had signed the paper of my own free will and had not been abused. At my refusal I was again knocked down and kicked and the pain was so intense that I told them I would sign the paper. I signed, but the signature could hardly be read, for I was nervous.

CIGARS PASSED AROUND

Chief Thurman seemed very happy and passed cigars around to everyone excepting myself. I remained in Thurman's office until midnight and among other things he told me that I didn't have a chance and would surely be hanged if I didn't plead guilty when I went before the court the next morning. He told me he knew what he had done was not justifiable but that this was the only way things were done in Missouri. I suppose he meant that this was Missouri justice.

The following morning, after having stood up all night, I went to the office of the prosecutor. It seemed that my head would burst. A million pains seemed to shoot all over my body. I could not think. I believe now that cigarets given me were responsible and that they were drugged. I talked with Judge Latshaw. I didn't know what I told him until I read the evening paper. Everything seemed to be going wrong. Even a lawyer assured me I had put a rope around my neck. I had never been in such a situation before and didn't know what to do. I believed, however, that I would get out of the trouble somehow.

When I was arrested I didn't have any money and did not know where I could get any. I received good news when I learned that the Kansas City Civic Protective Association was interested in the case and was going to help me. I cannot say too much in commendation of this association. It takes a person innocent of charges brought against him or her, who has no funds with which to employ counsel, to fully appreciate the real value of such an organization.

COURTROOM CROWDED

From the beginning of my trial until its dismissal, members from this organization crowded the court room and gave me courage to bear up under the strain. Even they did not realize how much their presence meant to me. They furnished the bulk of the money necessary for the trial. On the morning my attorneys succeeded in getting me out of the county jail on bond, this organization, knowing that I had no work or prospects of getting work, sent me to the Young Men's Christian Association where from June 10 until

my release, September 25, they paid for my room and board and other necessary expenses, that I might not suffer as I searched for work and awaited the final trial.

Could the good people of Kansas City only know the real value of such an organization, they would not hesitate to take membership in it. The fine thing, too, about it is that it seeks only to assist those who are innocent and victims of circumstances. I can never thank them enough.

RECALLS TRIAL

And now I would like to tell you a few things about my trial as it appeared to me. I want to praise my lawyers, Messrs. Calloway, Knox, Herbert and Parker. They were loyal and fine to aid me, and they had a hard fight I know. Judge Ben Terte who presided was very fair and unprejudiced, but some of the jurors to me seemed openly against anything black. I had a feeling I would be convicted. People didn't seem to respect the court very much. Witnesses for the state deliberately lied on the witness stand. The prosecuting attorneys forgot themselves and wandered off into race hatred and prejudice.

I remember I was very lonesome awaiting the verdict of the jury and I can never thank Milton Bledsoe enough, of The Call for remaining with me late that night. Little things like that are the ones that count in life.

Then there is our courageous newspaper, The Call. I want to thank its editor, Mr. C. A. Franklin and staff. I wish to thank everybody. Also I assure each of you, I shall prove myself worthy of your splendid help.

WHITE MERCHANT GIVEN TWO YEARS FOR MURDER

Associated News

KANSAS CITY, Mo., Nov. 30 (ANP.)—On the night of October 26 Albert Silk, white fruit dealer, took Damon Verder, 25-year-old employee "for a ride" to Swope park in this city where, after questioning him in respect to alleged thefts from his (Silk's) store and home, he shot Verder and threw him into the Blue River, leaving him for dead.

Verder crawled out of the river was discovered by a passing motorist and taken to a hospital where he died 24 hours later. He stated before he died that Silk had shot him because he had insisted he knew nothing about the thefts.

Silk was arrested and charged with murder. Upon trial last week the jury found him guilty of manslaughter and he was sentenced to two years in the penitentiary.

RICH WOMAN ALSO HELD BY GANG

Journal and Guide

Police Tried To Make It A "Negro-Did-It" Crime

12-26-31

NEGRO NOT INVOLVED

Not to the M.

Millionaire Matron And Employee Freed By White Thugs

Special to Journal and Guide

KANSAS CITY, Mo.—After having beaten up the wife of George Blair, the chauffeur of Mrs. Nell Donelly, white, who was kidnapped last week; and after throwing both Mrs. Blair and Alphonso Ferguson into jail the local police had to give up attempts to fasten the crime on Negroes, since they have obtained confessions from two white men, Paul Scheidt and Lacy Browning.

Mrs. Donnelly, the wife of a rich women's garment manufacturer, left her downtown office last Wednesday evening and proceeded home in her car, with Blair driving. At the entrance to the home another car was parked across the driveway when the Donnelly automobile arrived. Blair stopped.

Three Men Did "Job"

Three white men pounced down upon the millionaire's car, and seized Mrs. Donnelly and the chauffeur, despite the cries and pleas of the woman. They drove them away, putting muslin sacks over their victims' heads. After some time they changed cars and entered into a rattling old gas-wagon. Then they stopped and led the captives into a cottage. On the outside, Blair declares, they could hear the sounds of hens and animals.

The kidnappers compelled the white woman to write to her husband for a $75,000 ransom, with the threat that if the money was not forthcoming his wife would be blinded and the chauffeur killed. Then they tied Blair to a chair and kept the two people in separat rooms.

Released Near Bridge

Last Friday, after the money had not come, and after the police and radio had been used to round up the kidnappers, Mrs. Donnelly and Blair were set free near a bridge in Kansas City, Kansas, and both were found by police.

Monday night Scheidt and Browning, both white, were arrested. They had confessed participation in the crime, and police are now rounding up others of the gang. Before Mrs. Donnelly was released, however, and Blair given a clean record, the police started to hound Mrs. Blair.

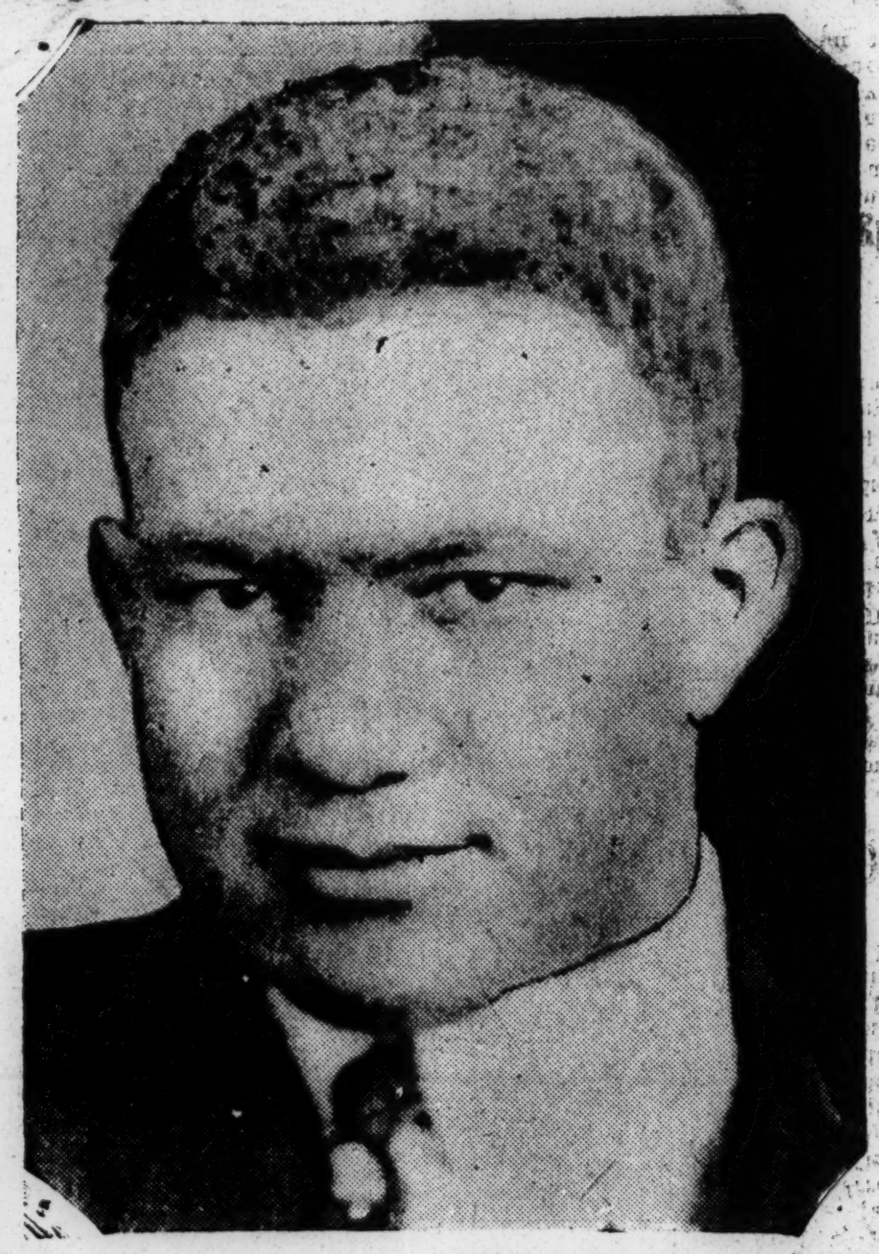
At a late hour last Friday night three officers drove out to the Blair home, forced their way into it, and there put Mrs. Blair under the "third degree." They slapped her in the house, roughed her in the street, and then threw her into the police car and imprisoned her on some nameless charge.

To neighbors who tried to intercede, the officers paid no heed, and in the case of Ferguson, they beat him, and later arrested him. These acts have brought great protest from the colored people of Kansas City who point to the Blairs as being some of the most law-abiding and respectable people in the city, Blair having worked for many years in the Donnelly household.

Mrs. Blair, shocked by the kidnapping of her husband an dthe rouht treatment of the police, has not indicated whether she will sue the city for false arrest, or whether she will prefer any charges against the officers. Ferguson has not revealed his future plans, either.

Crime-1931

AYS HE DID WRONG ONLY HOPING TO AID LOVED ONES



Photograph By St. Louis Sta

CHARLES Y. ABERNATHY

FATHER RELEASED ON $30,000 BOND

Argus

One Time Prosperous Young Real Estate Dealer Driven to Desperation Thru Loss of Money and Destitution of His Large Family. 1-9-31

WENT OUT TO ROB AND ENDED IN KIDNAPING

St. Louis, Mo.

Bond For Girl Involved in Case is Reduced as She is Plainly Innocent Victim of Circumstances. Hearing on Kidnaping to be Held Jan. 16.

Not since Lindbergh made his flight o France in 1927 has a news story attracted quite so much attention of

Missouri.

the public until the kidnapping story of "Buddie" Orthwein broke n news and radio New Year's Day. The first dramatic account of the kidnapping which furnished a clue as to the identity of this kidnapper was when Pearl Abernathy, through special arrangements, met Mr. Orthwein at the sheriff's office in Clayton where Abernathy is said to have admitted that his son was the kidnapper of Orthwein's son, and made the statement: "I'll give you you son if you will give me mine. Make this promise as father to father and your son will be delivered to you unhurt."

Created A Sensation

From that time on, public interest grew in the case. Orthwein's son was delivered to his father and the newspapers played up the story. Everybody was talking about the strange kidnapping. In the meanwhile, Charles Abernathy went into hiding. The people continued to talk, talk, talk. Each edition of the daily papers, particularly the St. Louis Star, brought a new story. By this time, those who had been the doubting Thomases" and had said that no Negro was game enough to jump right into the big league stuff were chirping in "who would have thought it." As the little groups gathered here and there, words of speculation and conjecture were heard. What will the Orthwein's do? Will they prosecute. It was Busch's grandson and you know if the Busch's make a promise they will keep their promise.

And then the next day, Pearl Abernathy, the father of the kidnapper, is arrested and held in the county jail at Clayton under $50,000 bond. At the same time Mrs. Charles Abernathy, the mother of seven children, is lodged in jail, but was released the next day. And the people continue to talk. Everything both good and bad that Abernathy ever did, it seemed that somebody would mention. But the weight of sentiment and the consensus of opinion as expressed by the people was Pearl Abernathy was not guilty before the fact in connection with the kidnapping. As time rolled on, the newspapers spread pages and pages of news stories and pictures of the principals involved including the Orthweins, the parents of the kidnapped thirteen year old boy; the Busches; the chauffeur; cars; Abernathys from Cottage and Bismark avenue; Sheriff Lill, trees, etc. The newspapers regarded the story very highly. And talk about hot on the trail, well, it was really interesting to see the reporter vie with each other for the 'scoop." A report was freely circulated that certain reporters were offering $1,000.00 for information which would give them an interview with Charles Y. Abernathy whom his father had named as the kidnapper of Adolphus Busch grandson.

Miss Robbs Held Under Bond

In the meanwhile, Miss Alfreida Robbs, a cousin of Charles, was taken into custody and held under $5,000 bond. Rober N. Owens and Emanuel Williams, lawyers with offices at 12a S. Jefferson Ave., got into the case. It is said that they got in touch with Chas. Abernathy, the much wanted and talked of man, at Kansas City and advised him to return to St. Louis. In the meanwhile, a reporter for the St. Louis Star reported through that paper that he had had an interview with Chas. Abernathy and that he had expressed a willingness to surrender.

Anyway Sheriff Lill of St. Louis County made the trip to Kansas City, brought Chas. Abernathy to Clayton where the latter is held on two counts one that of kidnapping, $50,000.00 bond, and the other that of highway robbery, $50,000.00, a total of $100,000.00 bond.

Pearl Abernathy Released

Chas. Abernathy in Clayton jail said that he was glad to be there and that he was ready to take his 'medicine." Attorneys for the defendants were undecided as to the course they would pursue as a defense. The county officials however believe that Chas. will take a plea of guilty and accept sentence which they thought would greatly mitigate his punishment.

Wednesday night, Pearl Abernathy was released from jail on $30,000.00 bond signed by Dr. T. M. Sayman, millionaire, soapmaker.. Preliminary hearings will be held before Justice of the Peace Oepts January 16 at which time it is thought by many that the elder Abernathy will be freed.

Sought Relief For Family

The imprisonment of the three well known St. Louisans grew out of Charles Abernathy's kidnapping of Aldolphus Bush Orthwein, 13-year-old grandson of August A. Busch, multi-millionaire president of the Busch Inc., Dec. 31, and holding him captive 20 hours, and the robbing of the Orthwein's chauffeur of $5 at the point of a pistol. The father and his grandniece became involved when they figured in arrangements for the return of the kidnapped boy.

Abernathy's father appeared in the case the day after the boy had been taken at a pistol's point from beside the Orthweins' chauffeur, Roy Yowell, in a Lincoln Limousine. This occurred at the entrance driveway to the millionaire's estate in Huntleigh Village, on Lindbergh boulevard (formerly Denny road) between Clayton and Manchester roads. The Elder Abernathy said he surmised that the guilty party might be his son thru newspaper's description of the kidnapper's automobile; his knowledge of his son's impoverished circumstances, and a report that came from his son's wife, Mrs. Eugenia Abernathy, 27, that "Charles was acting strangely." He immediately went to his boy's home at 715 Bismark avenue, Webster Groves, located in Abernathy's Park, where he discovered the truth, he said. He then called the Orthweins and arranged a meeting with them thru their attorney, Harry Troil, and Sheriff Lill of St. Louis County.

Refused To Accept Money

Mr. Abernathy refused to accept the liberal reward ($10,000) offered for the return of the boy and said he only wanted his son's freedom or the return of the Orthweins' son. It was agreed upon and the Orthweins said they would not bring any charges in the case. Miss Robbs was with Abernathy during the arrangement which caused her to be involved in the case. Abernathy is said to have admitted giving his son $40 and telling him to go away.

The pair were allowed to go alone to the prison place of the millionaire heir and leave him on the road near Miriam Convalescent Home or Bacon.

Push Prosecution

Soon after the recovery of the boy Prosecuting Attorney Harry Castlen of St. Louis County and authorities launched a man hunt for the kidnapper, although the Orthweins said they would stick by their promise not to bring charges.

Warrants were issued against the kidnapper Friday. The following day warrants were issued against the others. The elder Abernathy was taken into custody at 11:00 p. m. Friday in his 28-room hotel (the Dubois) at 4323 Enright Avenue. He was grilled severely for hours. Miss Robbs, who is secretary in Abernathy's real estate offices and who lives at the DuBois, also was sought. She was not taken until Monday, however, when she surrendered to Sheriff Hill at Clayton. She came with Mrs. Bertha Jones, social worker, whom she had called from the home of relatives in Edwardsville, Ill. Mrs. Jones said Miss Robbs was innocent and her only part in the affair was merely to accompany her uncle in the conference after which she went to visit her mother to recover from the ordeal.

Abernathy Surrenders

Charles Abernathy surrendered Tuesday allegedly at Kansas City Mo., where he had fled and was located thru Harry T. Brundidge, Star reporter and crime investigator of the St. Louis Star. He made a full

confession to the reporter, it was alleged. In his alleged confession he absolved the others held of all guilt in the crime. He laid his misdoings to disperation due to his families destitution. He said he never intended to kidnap when he started out New Year's Eve night, but decided on taking the boy after the holdup. He declared he had intended to release his prisoner just before his father came. Abernathy laid his financial downfall to a business deal in which he was victimized by a banker. He said his automobile was already mortgaged and he had merely $10 in Webster Groves bank.

Abernathy's children are Rosemary, 14 month old, Gloria, 3 years old; Lois, 4; Eugene, 6; James, 8; Martha, 9; and Charles, Jr. 11. He has one brother, Durwood, 17 years old, and two sisters.

Built Up Business.

The elder Abernathy has been in real estate business some thirty years, moving here from East St. Louis about the time of the riot in 1917. He has had vast property holdings. The DuBois is reported to be under mortgage. He owns equity in several other pieces among them Abernathy's Park in Webster Groves and 26 acres of unimproved property near Steelville, Mo. He is a trustee of Lane Tabernacle C. M. E. Church and president of the St. Louis Colored Aviation Ass'n. He was one time president of the local Colored Business League.

Attys. Robert Owens and Manual Williams have been representing the Abernathys in the case.

The humiliated colored father went to the grief-stricken white father and told him that his own son was the kidnapper and promised to restore the Orthwein offspring to his parents. "If your son has been killed, I'll kill my own son in your presence," Abernethy told Orthwein. 1-7-31

Then his love for his own flesh and blood took possession of him and he elicited the promise from Orthwein that he would not prosecute his son Charles if he succeeded in restoring Adolphus to him. The agreement was made and the next few hours saw the rich lad back home, unharmed.

In spite of the extenuating circumstances which may have contributed to the perpetration of this criminal act—Charles Abernethy was unemployed and had a wife and seven children dependent upon him for support—the law demands that he be brought before the bar of justice and be made to pay the penalty for his crime; but because of the rare judgment displayed by his father, we would like to see him go scot-free. The son may not be worth this consideration, but his father is.

Timely AND Untimely Topics OF THE WEEK

By THE EDITOR

A Wise Father And His Son

IT TOOK courage, character and wisdom of a very rare kind on the part of Pearl Abernethy, real estate broker of St. Louis, Mo., to bring about the safe return of Adolphus Busch Orthwein, whom his own son had kidnapped. Once Abernethy became convinced that his son was the abductor of the 13-year-old white lad, to bring about his safe return was the only sensible thing to do; but how many parents would have done so.

Modern Abraham Vowed to Slay Son in Kidnaping Case

Father of Kidnapper of $50,000,000 Busch Lad Vowed to Slay Offspring if he Did Not Return Boy Alive.

ST. LOUIS. — The story of a modern "Abraham" and the sacrifice of his son in death was partially dramatized in life when it was revealed that Pearl Abernathy, well known St. Louis realtor, vowed to slay his son, Charles V. Abernathy, if he did not return 13-year-old Adolphus Orthwein, white, alive to his father.

The white lad, who is heir to the Busch family millions, had been kidnapped by Charles Abernathy, 28, the son, and himself a realtor in St. Louis on New Year's Eve.

Dramatic Meeting.

From both the Abernathy family and the rich Busches sifted the dramatic story of how the death bargain was made. In the office of the sheriff where a meeting of the fathers had been arranged, Mr Abernathy broke the tenseness as he entered by telling Percy Orthwein father of the boy, "You are worried about your boy and I am worrying about mine. I want to trade your son for my boy's freedom."

"This is a terrible thing," the kidnapper's father explained, "and I know where your boy is and will return him if you promise not to prosecute my boy." 1-10-31

The white father, trembling with mixed joy and fear, grasped the significance of the common sorrow, and exclaimed: "For God's sake, is he alive?" Baltimore, Md

"I do not know," said Abernathy, "but if your boy is dead, I vow to kill mine in your presence."

Makes Bargain.

As a result of the bargain made by the fathers, the boy, tired, but none the worse for having gone through the camping experience with Abernathy first held up and robbed father's estate.

Well Known.

For a quarter of a century the elder Abernathy has been a well known real estate dealer and prominent in St. Louis business circles. Charles V. Abernathy, according to his father, has been out of work for five months. He is the father of seven children.

That the kidnapping was second thought, is the belief of officials. Abernathy fisrt held up and robbed the chauffeur. Then he made the latter get out of the machine and he drove off with it and the boy.

Gentleman's Agreement.

Although Pearl Abernathy has been arrested and Sheriff Harry Castle announced that he would run the son down and persecute him on behalf of the State of Missouri, it is said that Orthwein is prepared to devote any amount of his fortune necessary to keep his word ot the father who bargained with him to return his son.

Before the release of the kidnapped boy, more than 5,000 police and detectives had joined the hunt for him.

Detective Cooper Scores.

Another star was added to the record of Lieutenant Detective Ira Cooper, who was given credit for the rescue of a kidnapped white bookmaker last summer. Cooper is said to have taken a leading part in the developments leading to the return of the Orthwein boy.

Abernathy said that on New Year's morning, his daughter-in-law, Mrs. Charles Abernathy, came to his real estate office, 4323 Enright Avenue and told him Charley was acting very strangely. She then asked Pearl Abernathy if he would come with her to her home

Is Arrested

The arrest of Charles Abernathy was announced Saturday by St Louis County officers. He has been placed in the county jail at Clayton, it is said, and will be tried on the charge of kidnapping.

Abernathy Home Shot Into 24-Hr. Siege Is Place to Hundreds Chicago Tribune

ST. LOUIS, Mo., Jan. 23.—The home of Charles Y. Abernathy, who is held on a charge of kidnaping the grandson of August A. Busch, millionaire brewer, has become a show place for sightseers since the recovery of the 13-year-old child, who was abducted New Year's eve night and held in captivity for 24 hours.

Abernathy's home, where the Busch heir was held, is situated in a dense locality in the county. The interior of the former home of the kidnaper where his wife and seven children resided, 513 Bismark Ave., has been so transformed as to resemble a real western outlaw den. A burly white county official, towering six feet in height, weighing 250 pounds, is stationed at the Abernathy frame dwelling for the purpose of explaining to curiosity seekers just how the Orthwein boy suffered during the 20 hours he was away from his family's palatial mansion. Handcuffs, shackles and all the ancient and modern guns and sorts of junk, typical of the days when Jesse James was a terror, make up the scene, portraying the sensational kidnaping story.

Abernathy's family abandoned their home the night before the Orthwein child was taken there and have not returned since the crime was committed.

Abernathy will not plead guilty to the charge of kidnaping, according to Robert N. Owens, his attorney. When arraigned for trial, the alleged kidnaper will also repudiate the sensational confession that appeared in the St. Louis Star, according to his attorneys, who said he did not make the confession

Charlie Jones, first degree, for murder of Raymond Hicks, on August 13.

Other murder cases are:

Mrs. Prudie Little, first degree, for the murder of Robert McElroy, July 14.

Earl Guy Williams, first degree, for the murder of James Buckley, June 22.

Mike Accurso, Tony Accurso and Jack Corso, Italians, first degree, for the murder of Will Jones, June 25.

These cases are scheduled to be called on September 14.

August Mad Eleven Murders; Charges Filed Against Seven

The month of August, just passed, was one of the bloodiest ever witnessed in Kansas City according to police officials. Eleven Negroes of Kansas City, have been murdered by Negroes since the second of August. Nine of the persons murdered were men and the other two women.

Seven of the alleged slayers have been arrested and murder charges filed against them and the other four are still at large.

Among the murder cases that appear on the criminal court docket for the September term are the following:

Jess J. Young, first degree, for the

confession to the reporter, it was alleged. In his alleged confession he absolved the others held of all guilt in the crime. He laid his misdoings to dispiration due to his families destitution. He said he never intended to kidnap when he started out New Year's Eve night, but decided on taking the boy after the holdup. He declared he had intended to release his prisoner just before his father came.

Abernathy's financial downfall to a business deal in which he was victimized by a banker. He said his automobile was already mortgaged and he had merely $10 in Webster Groves bank.

Abernathy's children are Rose Mary, 14 month old, Gloria, 3 years old; Lois, 4; Eugene, 6; James, 8; Martha, 9; and Charles, Jr., 11. He has one brother, Durwood, 17 years old, and two sisters.

Built Up Business.

The elder Abernathy has been in real estate business some thirty years, moving here from East St. Louis about the time of the riot in 1917. He has had vast property holdings. The DuBois is reported to be under mortgage. He owns equity in several other pieces among them Abernathy's Park in Webster Groves and 26 acres of unimproved property near Steelville, Mo. He is a trustee of Lane Tabernacle C. M. E. Church and president of the St. Louis Colored Aviation Ass'n. He was one time president of the local Colored Business League.

Attys. Robert Owens and Manual Williams have been representing the Abernathys in the case.

Timely AND Untimely Topics OF THE WEEK

By THE EDITOR

A Wise Father And His Son

IT TOOK courage, character and wisdom of a very rare kind on the part of Pearl Abernethy, real estate broker of St. Louis, Mo., to bring about the safe return of Adolphus Busch Orthwein, whom his own son had kidnapped. Once Abernethy became convinced that his son was the abductor of the 13-year-old white lad, to bring about his safe return was the only sensible thing to do; but how many parents would have done so.

The humiliated colored father went to the grief-stricken white father and told him that his own son was the kidnapper and promised to restore the Orthwein offspring to his parents "if your son has been killed, I'll kill my own son in your presence," Abernethy told Orthwein.

Then his love for his own flesh and blood took possession of him and he elicited the promise from Orthwein that he would not prosecute his son. Charles if he succeeded in restoring made and the next few hours saw the Adolphus to him. The agreement was

In spite of the extenuating circumstances which may have contributed to the perpetration of this criminal act—Charles Abernethy was unemployed and had a wife and seven children dependent upon him for support—the law demands that he be brought before the bar of justice and be made to pay the penalty for his crime; but because of the rare judgment displayed by his father, we would like to see him go scot-free. The son may not be worth this consideration, but his father is.

Modern Abraham Vowed to Slay Son in Kidnaping Case

Father of Kidnapper of $50,000,000 Busch Lad Vowed to Slay Offspring if he Did Not Return Boy Alive.

ST. LOUIS. — The story of a modern "Abraham" almost said that Orthwein is prepared to devote any amount of his fortune and necessary to keep his word of the father who bargained with him to return his son.

Before the release of the kidnapped boy, more than 5,000 police and detectives had joined the hunt for him.

Detective Cooper Scores.

Another star was added to the record of Lieutenant Detective Ira Cooper, who was given credit for the rescue of a kidnapped white bookmaker last summer. Cooper is said to have taken a leading part in the developments leading to the return of the Orthwein boy.

Abernathy said that on New Year's morning, his daughter-in-law, Mrs. Charles Abernathy, came to his real estate office, 4323 Enright Avenue and told him Charley was acting very strangely. She then asked Pearl Abernathy if he would come with her to her home

Is Arrested

The arrest of Charles Abernathy was announced Saturday by St Louis County officers. He has been placed in the county jail at Clayton, it is said, and will be tried on the charge of kidnapping.

Abernathy Home Show Place to Hundreds

ST. LOUIS, Mo., Jan. 23. — The home of Charles Y. Abernathy, who is held on a charge of kidnaping the grandson of August A. Busch, millionaire brewer, has become a show place for sightseers since the recovery of the 13-year-old child, who was abducted New Year's eve night and held in captivity for 24 hours.

Abernathy's home, where the Busch heir was held, is situated in a dense locality in the county. The interior of the former home of the kidnaper where his wife and seven children resided, 513 Bismark Ave., has been so transformed as to resemble a real western outlaw den. A burly white county official, towering six feet in height, weighing 250 pounds, is stationed at the Abernathy frame dwelling for the purpose of explaining to curiosity seekers just how the Orthwein boy suffered during the 20 hours he was away from his family's palatial mansion. Handcuffs, shackles ancient and modern guns and all sorts of junk, typical of the days when Jesse James was a terror, make up the scene, portraying the sensational kidnaping story.

Abernathy's family abandoned their home the night before the Orthwein child was taken there and have not returned since the crime was committed.

Abernathy will not plead guilty to the charge of kidnaping, according to Robert N. Owens, his attorney. When arraigned for trial, the alleged kidnaper will also repudiate the sensational confession that appeared in the St. Louis Star, according to his attorneys, who said he did not sign the confession.

August Had Eleven Murders; Charges Filed Against Seven

The month of August, just passed, was one of the bloodiest ever witnessed in Kansas City according to police officials. Eleven Negroes of Kansas City, have been murdered by Negroes since the second of August. Nine of the persons murdered were men and the other two women.

Seven of the alleged slayers have been arrested and murder charges filed against them and the other four are still at large.

Among the murder cases that appear on the criminal court docket for the September term are the following:

Jess J. Young, first degree, for the murder of Leroy Jamison on August 2.

Clifford Simmons, first degree, for the murder of Mrs. B. Anna Robinson, August 4.

Walter Howard, first degree, for the murder of Estel Lewis, on August 7.

Earlie Jones, first degree, for murder of Raymond Hicks, on August 13.

Other murder cases are:

Mrs. Prudie Little, first degree, for the murder of Robert McElroy, July 14.

Earl Guy Williams, first degree, for the murder of James Buckley, June 22.

Mike Accurso, Tony Accurso and Jack Corso, Italians, first degree, for the murder of Will Jones, June 25.

These cases are scheduled to be called on September 14.

Crime-1931

Nebraska

About To Get Long Term In Prison

Omaha
12-3-31

Is Freed by Confession of White Boy Who

Savannah, Ga.

COMMITTED HOLD-UP

Negro Youth, Was "Positively Identified"

Omaha, Nebr., Nov. 25—Virgil Sherman, 19 years old, never committed a crime, still he was on the brink of being sent to prison for a long term. Only the confession of Lloyd Irving, 17 year old white boy saved him.

Sherman was "positively identified by the white attendant of a filling station here as the youth who held up the place of business everal weeks ago. He was put hrough severe grilling by police nd though he steadfastly pleaded nnocent, the grime was virtually placed on him. He was awaiting court hearing which undoubtedly would have sent him to the penitentiary for a long term.

It so happened that Irving was captured as he and Cyrus Watson held up the night clerk at the Elks club. He was taken to the police station, where after questioning by police he confessed the robbery for which the colored boy was held.

District Judge Wright on Friday sentenced Irving to ten years in prison, while Sherman was allowed to go free after spending several unpleasant weeks in jail.

New York.

Crime-1931

Tells How "Policy" Game Stirred Ire Of Father Knickerbocker in Old Days

Negro Played Plenty, but Whites Took the Profits

Amsterdam News

I shouldn't ever work at all,
Shouldn't do a thing but slumber;
My wife spends every cent I make
Trying to hit the lucky number.
—Comedian's Song.

By GLENN CARRINGTON.

THE serious pains and changes through which the "numbers," Harlem's pet institution of chance, are going, recall previous gambling rackets in the early days of Father Knickerbocker's big town. Then, as now, Gothamites were gullible. 2-18-31

This game, commonly believed to have been introduced into the metropolis by Cubans schooled in the gambling devices of Havana, had its prototypes long ago in gaming carried on in dens of vice that would make some of the 1931 houses of iniquity seem tame. 2-18-31

No "Negro Game."

Neither the "numbers" nor any of the previous forms of popular gambling can be ascribed solely to New York's Negro citizenry. While Africa had its shell game and, perhaps, its dice while history was young, the old common law of England frowned upon gaming and public betting only when they constituted nuisances to the populace. The Romans wooed Lady Luck and feudal landlords of Europe took great sport in lotteries. Picking the winning number was a feature of the magnificent court of Louis XIV of France, who dignified the game by his personal indulgence.

The problem of increasing gamesters became so acute in 1857 that the New York State Legislature appointed a committee to investigate the evil. Houses in Manhattan and Brooklyn were visited and searched for evidence of gambling, along with other forms of vice. Some of the statements in the commission's report make it appear that Negroes of that day, suffering as they were from poverty or afflicted with human weaknesses, lived close to the lottery

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		2		2	0		4	0	1	
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					1	7	1			
						3				

The complicated combination "numbers," illustrated above, might tax the wisdom of a Solomon, but they are just so much pie for a well versed devotee of chance. Figure them out for yourself.

racket. One section of the report has the following to say:

Describes "Policy" Shop.

"A four-story building, in the rear of No. 42 Ridge street, was visited by the committee and found occupied by colored people exclusively. The apartments were comparatively neat and the ventilation better than the average of such homes. A concomitant of this building, as well as most of the tenant blocks, is a 'policy' office, kept in the alley. These 'policy shops,' so called, are the agencies of the lottery ticket venders."

The 1857 committee did not succeed in eradicating the evil, though public sentiment was aroused against it. Many notorious gamblers rose to power in the underworld and succeeded in establishing themselves as magnates in wagering of one sort or another, in spite of the agitation against it.

A recent biography of Richard A. Canfield, notorious gambler of the latter part of the nineteenth century, suggests another way in which Negroes were associated with gambling. Back in May, 1888, Canfield and David Duff, both wealthy white gamesters, opened the Madison Square Club at 22 West Twenty-sixth street. It was a four-story brownstone structure, with a high stoop similar to the homes of the then wealthy New Yorkers. The place was rented for $600 a month, and protection money paid to the authorities added another $200 to their monthly bills until business picked up so much that more was exacted in graft.

Aides of Canfield.

Located near several fashionable hotels and restaurants, it attracted only the wealthy who could afford huge stakes. At that time both economic and social ostracism protected the place from the patronage of Negroes. It not so in the operation for in addition to a cook and two maids all colored, a Negro manservant helped to keep the roulette table and faro box running smoothly.

By 1892 much of this large-scale gambling had been brought before the public eye by the exposure of the links between the monsters of crime and the police. The Rev. Charles H. Parkhurst, pastor of the Madison Square Presbyterian Church, declared from his pulpit that there were 250 faro banks, 720 "policy" shops and 6,000 saloons operated in violation of the excise law, all on the island of Manhattan.

Whites Headed Industry.

The minister particularly directed his ire against Albert J. "Al" Adams, a white "policy" king, who maintained numerous shops in the city. It was Adams who hired many Negroes as runners to collect the "policy" bets of the Negro population, which played "policy" with as much gusto and eagerness as their successors play the "numbers" today.

About this time Adams had approached Charles Cassell (now known as "Seagoing Charlie," museum owner) and offered to pay the rent for Cassell's cigar store at 126 West 126th street if Adams were allowed to use the rear of the store as one of his "policy" shops. To this the enterprising tobacco vender readily agreed. At this time Adams, who twenty years earlier was a railroad brakeman, had amassed a fortune estimated at $7,000,000. It was said of him at the time that he maintained "a gambling house for every church spire in Manhattan." Police protection money could not, however, save him later from a term in Sing Sing, though for years the police never raided any of his houses and shops, many of which catered almost exclusively to colored trade.

"4-11-44" a Favorite.

Instead of playing "the bolito" or "combination numbers," as contemporary "numbers" players have been doing, the policy players of thirty-five years ago would play "gigs," "saddles" or "horses." Negroes had "gigs," to which they were partial, including the famous "4-11-44," which became the name and theme of burlesque shows. It is said that the "policy" kings, through their managers, would arrange to have this "gig" come out at least once each year in courtesy to their Negro clientele. Having come out once, the colored players could be retained for several months more without additional effort.

Famous "4-11-44" Was Annual Courtesy Combination

One day it was rumored that the famous "gig" would come out and hundreds of Negroes played it. One hard-working woman, having just been hired by a wealthy family as washerwoman, and being without funds, was so certain that "4-11-44" would come out that she pawned her employer's clothing in order to invest. Imagine the disappointment of the players when it was announced that "4-11-45" was the "gig"!

Another investigation, known as the Lexow Senatorial committee probe, ran for several months during 1894 in an attempt to get at the bottom of conditions. Six years later the Mazet committee again investigated gambling and other vices. These investigations began to sound the death knell of "policy," or "poke-a-moke," as the lottery was known then. Selection of numbers combinations in positions determined by the results of the Louisville race track gradually became abandoned here and throughout the country.

The chance-takers turned to "numbers," based upon the totals of the New York Clearing House and the Stock Exchange. History, however, is repeating itself, because the gaming barons are shifting again to the tracks, although they have retained their three number designations instead of the old combinations of three groups.

Telling of the sources whence betting numbers are derived, Anthony Comstock attacked the games in a book called "Traps for the Young." He explained the old "gigs" in this manner:

"The Negro dreams a dream, the Irish man or woman has a 'presintimint,' and the German a vision, and each rushes to the 'dream-book,' kept in every policy den, to see what number the dream or vision calls for."

A dream about any of the following subjects called for the numbers opposite each:

Fire, 6, 46, 69.
Fox, 4, 7, 11.
Funeral, 3, 5, 11, 29.
Gold, 63, 74.
Murder, 7, 13, 20.
Hunting, 14, 37, 61.
Rain, 43, 45.
Spider, 54, 75.

The superstition and "hunches" employed in those days have had their repercussions in the modern "numbers" game. A minister announces the number of a hymn; the next morning his congregation plays the number; anything with digits on it is hailed as "the" number.

New police commissioners take office, new legislators are elected; but the lotteries—call them "policy" or "numbers" or whatnot—merrily continue. Bare and lightly laden cupboards avail little against it; the devotees, but thousands of coins still landlord fails to get his rent, but the tinkle daily in the vice leeches' tills. worshippers of the God of Chance continue kneeling at their shrine, while the gamblers grow sleek.

Luck is older than civilization and human nature never changes. Jail doors yawn and ruin threatens the

TIMES
Valley City N.D.
APR. 28 1931

THE BANDITS GOT A LESSON

THE THREE NEGROES who pulled off that holdup at or near Buffalo a few days ago, will have plenty of time to think about the foolishness of pulling off that sort of a deal. In district court yesterday two of them were sentenced to twenty years in the penitentiary and the other one to ten years.

The reason one was given ten years less than his two fellow bandits was because he showed a little more humane feeling for the victim and probably saved the victim his life or injury that might have been serious and lasting. As we understand it this one was against carrying out the wishes of the other two—who wanted to bump off the victim—which in more refined language means killing him.

The court took this into consideration and it saved this highway robber ten years. We wonder, if he lives that long, if the lesson will be of value to him and when he gets out he will turn over a new leaf and go straight. With good time off he will get out in less than eight years and if he is a moderately young man he will still have an opportunity to go forth and be a good citizen. The other two will be in confinement for a long time and their chances of starting anew will be much slimmer than that of their confederate—but they will have the chance, just the same.

The colored man has a much harder job of escaping capture than his white brethren because they are so conspicuous because of their color, and in this affair near Buffalo they put themselves in line for early capture on that account—and now look what is before them. Most crimes of this sort, unless done by men who have a crime record, are done without much thought of what might happen to them if caught. None of them got more than they deserved and this quick meting out of justice by the court yesterday might have a deterrent effect on others who possibly have thought that it would be easy to commit crime and get away with it. "The way of the transgressor is hard."

A Criminal Blunder.

Just at the time when the Wickersham commission is publishing the last of a series of reports showing the glaring imperfections in criminal law and procedure, one of the most flagrant miscarriages of justice in the history of this country comes to light in dramatic circumstances.

Four months ago young Patrick O'Brien, a New York boy, out of a job and for the lack of something beter to do, dropped into a court room and took his seat among the spectators.

A few nights previously three young bandits had held up a druggist at the point of a pistol, robbed him and made their escape. At the time of young O'Brien's visit the court was engaged in the trial of a number of criminal cases and various parties at interest were present. Suspects had also been scattered throughout the audience to be picked out by witnesses. Misunderstanding the gesture of one of the lawyers, who was pointing at another person in the audience, young O'Brien stood up, whereupon the druggist immediately exclaimed that he was one of the robbers.

O'Brien was placed under arrest and brought to trial. His mother testified that the boy was at home in bed at the time the robbery took place, but the druggist was positive in his identification and, in a word, O'Brien was given a senence of from twenty to forty years in Sing Sing.

A short time later one of the actual robbers was arrested. He admitted taking part in the crime and declared that young O'Brien had nothing to do with it. He added that the notorious little man-killer, "Two Gun" Crowley, now awaiting electrocution in the death house at Sing Sing, was the leader in the holdup. It appears that there really is a certain resemblance between Crowley and O'Brien.

The lawyer who had been appointed to defend O'Brien learned of the later developments and once more took up the case. He made a trip to Sing Sing and secured an affidavit from Crowley that it was, indeed, he who had held up the druggist and that O'Brien was entirely innocent.

Old dog Tray got into trouble because he kept bad company, and perhaps it is just as well to remain away from the immediate neighborhood of courts and criminals before the bar unless a person has some business there.

But it is appalling to contemplate the long years of imprisonment young O'Brien would have had to endure simply because he picked a court room in which to pass an idle hour. It was one of those coincidences which belong to dime novels of the most approved pattern that one of the real culprits should have been caught and that he had the manhood to exonerate an innocent prisoner. Even Crowley, dead to every human sentiment when he found pleasure in shooting policemen simply because "he hated the cops," stepped out of character to save the life of a fellow inmate of the gray prison at Ossining.

It is a familiar proverb that it is better for nine guilty men to go unpunished than that one innocent man should suffer. How general may be the practice of accepting hasty and imperfect identifications, as in the case of the excited druggist we are not prepared to say. At any rate such a blunder as that in which young O'Brien was involved should not be possible to any reasonable extent, and the boy's narrow escape should carry with it a lesson that the courts and jurors may well take to heart.

TIMES-GAZETTE
ASHLAND, O.
AUG 19 1931

RESEARCH

The value of the reports made by the Wickersham commission may not be fully realized as yet. The recent report including 859 pages must be a remarkable document.

The experts devoted 859 pages to a report but stated that "it has been found impossible to comprehensively discuss the causes of crime or factors in non-observance of law."

The report offers no recommendations or conclusions.

It includes, however, some very obvious statements such as:

The ranks of the unemployed yield more criminals in proportion to the numbers than do the ranks of the employed.

There are more Negroes in Sing Sing than their population in New York warrants.

The assurance of economic security will no doubt bring with it a reduction in crime.

Slum districts surrounding the business sections of half a dozen cities are responsible for turning out a steady stream of youthful offenders, while other sections of these cities are comparatively free.

Sections which turn out the major portion of juvenile delinquents contribute equally to adult crime.

Remarkable findings, aren't they?

Surveys and research work are often beneficial but we have no praise for this report made on crime. The report deals with nothing but the obvious. It goes on at great length recording things that have been common knowledge. No attempt has been made to get at the real causes and offer practical suggestions and recommendations as to how the situation might be improved.

ROSENTHAL WAS A PARTY TO HIS OWN KIDNAPING

Reporter

NEW YORK, Oct. 16. (ANP)—As soon as assistant District Attorney John F. Joyce had rested the prosecution's case Thursday in the trial of Betty Stewart Green and four white men, charged with the kidnaping of Charles M. Rosenthal, wealthy broker, in August, the defense counsel proceeded boldly with a plan to prove that Rosenthal had entered into the abduction scheme in order to extort money of which he was in need from his mother, Mrs. Nellie Rosenthal.

This was brought out in the testimony of one of the defendants, Marcus Blumenthal, under the questioning of his attorney, Ceasar Barra.

Confessions of three of the defendants on trial have been read into the records.

Alleged confessions of Blumenthal and Mrs. Green are to be read.

Mrs. Green, a mulatto, is charged with having been the decoy used by the four white men to lure Rosenthal to the right spot to be kidnaped.

Crime-1931

New York.

Betty Stewart Green, Negro Woman Held in Kidnapping of Rosenthal, Freed by Jury as Ignorant of Plot

10-24-31

Woman Said to be Well Known in Philadelphia and New York City--Claimed She Acted as Decoy to Help Collect Gambling Debt

New York, N.Y.

After a trial lasting more than two weeks, a jury in part 3 of the General Sessions Court brought in a verdict of not guilty in the case of Betty Stewart Green, former Philadelphia society girl, who was on trial, with four others on the charge of kidnapping Charles Rosenthal, wealthy young Long Island broker, who was released after a $50,000 ransom had been paid on August 28.

Rosenthal was held a prisoner in a Harlem apartment, located at 68 West 144th street. All the other defendants in the case were found guilty, and may receive the maximum penalty of 50 years in prison.

Wife of Dentist

Mrs. Green, the wife of Dr. Clarence "Spooff" Green, former dentist, and now a medical student at the University of Pennsylvania, acted as the decoy in getting Rosenthal to Harlem.

Her defense was that she did not know of the kidnapping plot, and had been told by Marcus Blumenthal, one of the four other defendants, that Rosenthal owed him a large sum of money, and he (Blumenthal) had been unable to see Rosenthal in the latter's office. If a meeting could be arranged between the two men, Blumenthal thought he could collect his money.

This meeting was arranged at 42 Hamilton Terrace. Rosenthal was induced to come up to the above address by Mrs. Green, on the pretext that he was being taken to a party.

When Rosenthal appeared at the Hamilton Terrace address, he was seized by four men, and taken to 68 West 144th street, where he was taken prisoner.

Was Ignorant of Plot

Blumenthal, the only one of the defendants to take the witness stand corroborated the statement made by Mrs. Green to the effect that she did not know of the kidnapping plot.

The kidnappers' defense was that Rosenthal was a party to the conspiracy. That he willingly allowed himself to be kidnapped so that he would get a share of the ransom money in order to pay off gambling debts which he owed, and for which his mother would give him no money. $32,000 of the money paid as a ransom was never recovered and the defense contended that $25,000 of this was paid back to Rosenthal.

The capture of the kidnappers was effected when Blumenthal attempted to change a $500 bill, part of the ransom money which had been marked. A teller at the Harriman National Bank recognized the bill and caused his arrest. An eight hour grilling by the police brought an alleged confession from Blumenthal, and the implication of the others.

Arrested With Husband

Mrs. Green was arrested with her husband in Atantic City. When arrested she is alleged to have told the police that Blumenthal had induced her to decoy the broker to the Hamilton Terrace address, saying he wanted to collect a $5,000 gambling debt.

Aiken A. Pope, counsel for Mrs. Green, in his summing up, denied this alleged confession by his client and maintained that she was completely innocent of any knowledge of a plot when she made the appointment to bring Rosenthal to Harlem.

The trial was heard before Judge Joseph E. Corrigan, and attracted widespread attention and large crowds to the court room.

Four Are Convicted In Rosenthal's Kidnaping

Adventurer

10-16-31

NEW YORK, Oct. 15.—(AP)—Four men were convicted tonight by a jury of kidnaping of Charles M. Rosenthal, wealthy young broker, who was held for $50,000 ransom. A woman, who the State accused of acting as a decoy for the quartet, was acquitted.

Montgomery Ala

Those convicted were Nicholas Rutigliano, 39-year-old hotel proprietor, Marcus Blumenthal, 28-year-old salesman; Albert Sileo and Theodore Adinolfi.

When the men were taken to Sing Sing prison, they were placed separate parts of the jail because of the enmity which has developed between them since the commission of the crime. Three of the men are bitter toward Rutligliano because he kept most of the ransom money, and the others accuse Blumenthal of squawking.

60 YEARS EACH FOR KIDNAPPERS OF ROSENTHAL

Chicago Ill.

10-31-31

NEW YORK, Oct. 27—(ANP) — Four white men, convicted last week of the kidnaping of Charles Rosenthal, 24-year-old curb broker, were sentenced to sixty years each in the penitentiary Friday morning by Judge Corrigan in General Sessions court.

The men sentenced are Nicholas Rutigliano, Marcus Blumenthal, Albert Silio, and Theodore Adinolfi.

Bettina Stewart Green, arrested and tried as the decoy in the kidnaping plot, was acquitted when the jury was convinced that she did not know that she was being used to aid in an abduction scheme. She is the wife of Dr. Clarence "Spoof" Green and, when first arrested, denied that she was colored.

Betty Green Goes on Stand; Faces Accuser

Defender

Chicago, Illinois

10-10-31

BULLETIN

NEW YORK, Oct. 9.—There have been no new developments in the trial of Betty Green and the four men who kidnaped Charles M. Rosenthal, wealthy white Long Island broker. Mrs. Alma Frye Grant, well-known beauty culturist of 2711 Seventh Ave., took the stand in general sessions court Wednesday and told how she had given the Atlantic City address of Mrs. Green to Marcus Blumenthal, leader of the kidnaping band, who later turned it over to police. Jeff Blount, owner of the Lenox club, also took the stand and testified that he was the owner of the apartment at 68 W. 144th St., where Rosenthal had been held captive. He said Blumenthal had rented it.

NEW YORK, Oct. 9.—The drama of the trial of Betty Green, beautiful wife of Dr. Clarence Green, and her four male associates, accused of the kidnaping of Charles Marvin Rosenthal, 23-year-old curb broker, is becoming tenser as the testimonies of the various witnesses increase in Judge Corrigan's court of general sessions. A tired, worn-looking girl sits watching the face of the well-groomed young curb broker, as he politely replies to the questions asked him by District Attorney John F. Joyce.

When the defense counsels, led by the experienced and expert Caesar B. F. Barra tries to show that young Rosenthal might have assented to being kidnaped, in order to share the $50,000 ransom his mother paid, this young man remains unruffled.

In the jury box sit 12 good men, headed by the socially prominent Harvey Cushing III, who married a Vanderbilt. It is a blue panel group.

Leisurely, as young men at their clubs, are the four accused men—Marcus Blumenthal, Albert Sileo, Theodore Adinolfi and Nicholas Rutigliano, proprietor of the Hotel Vendig, 120 W. 47th St.

Admits Keeping Date

Frequently Attorney Joyce will ask Betty Stewart Green to rise. Attorney J. P. Duff, trying to implicate Rosenthal, in a counter attack, draws from the young heir the admission hat he made and kept a blind date vith the girl at the Hotel Astor. "A ocial obligation" is what Rosenthal estified he considered the rendezvous. Ie took her to the Epicure club, 32 . 52d St., and then to a speakeasy.

"She told me that a friend of mine ad asked her to call up and I sup-osed that she wanted to be taken ut," the young broker said. Yet the hite press persists in using the term lured" for the manner in which the retty "mulatto" got the consent of harles to go to meet another girl iend, "Dorothy." That date never aterialized. Rosenthal is supposed o have been decoyed into the hands f the four men.

"Did you find her attractive?" Duff sked of Rosenthal.

"No, I didn't," he replied.

"Could you tell whether she was hite or Colored?" District Attorney ohn F. Joyce asked, pointing to the efendant.

"No, I couldn't."

"Well, look at her now. (Rosenthal eems to avoid looking at Betty, as a ule.) Did she look the same then s she does now?"

"Just the same."

The creamy complexion of the defendant would easily enable her to pass for white. And still this "unattractive" girl seemed to have made a great impression on the night of Aug. 9.

Rosenthal is a member of the firm of Bogatin & Rosenthal, commission brokers, 25 Broadway. He disappeared Aug. 11 and a day or two later his attorney, Edward Nathan, received a demand for $100,000 ransom.

Ransom Is Paid

Nathan carried on negotiations through the personal columns of the New York Times, finally getting Rosenthal's captors to accept $50,000,

It was learned afterward that the kidnapers accepted the lesser sum because Rosenthal had "won" $53,000 from them in crap and poker games while he was being kept prisoner at 68 W. 144th St.

Nathan delivered $50,000 in marked money to the check room of the Hotel Vendig on Aug. 27. Later in the day Rosenthal was taken for an automobile ride by his captors—at the end of 17 days' imprisonment—and dumped at 158th St. and Walton Ave., the Bronx.

He immediately notified the police, the kidnapers having left him $10 with which he was enabled to taxi to the nearest police station. He told of his release, and the accused were sought. Recognition of the strains of jazz music played by Irving Mills' Blue Rhythm band at the fashionable Cotton club, 142d St. and Lenox Ave., enabled Rosenthal to relocate the place where he was held.

Kidnapers Arrested

Betty Stewart Green was arrested

the hallway throngs storm the doors for admission, and very few succeed in getting in. Most of the outstanding lawyers from Harlem are there. Many women come to hear the trial. Betty is dressed in a brown tweed suit of the smaretst cut. She wears an Empress Eugenie hat. The three men, with the exception of Rutigliano, supposedly brains of the conspirators, are college-looking young men. The trial has its "color." A good "show" is on, but admittance is almost impossible. Slowly, the drama of the courtroom is reaching its denouement. Breathlessly the court awaits the entrance of the "star." Betty will soon take the stand.

MIAMI, FLA.
NEWS

NOV 17 1931

Football at Sing Sing

Formation of a football team at Sing Sing has provided no end of fun for the wisecrackers, and it cannot be denied that the innovation has its humorous aspects. We hear, for instance, that there are several "escape artists" qualified as "triple threat" backfield men. The punsters, of course, suggest that the players are willing to "die for dear old jail", and those with a grudge against "the law" are rooting for a game with a police team.

The first game of the Sing Sing team against the Naval Militia eleven provided additional grist for the joke mills as "Alabama" Pitts, negro quarterback, and "Arsenic" Jones, negro end, with "Eggshell" Martone, a diminutive but hard-boiled wingman, emerged as "campus heroes" and several militiamen left the field on stretchers while others nursed bad bruises.

The football team isn't a joke, however, to Warden Lawes, who sponsored it, or to the players. These men are eligible for the Sing Sing "varsity" because they failed to play the game according to the rules and became ineligibles outside the prison walls. All football coaches declare that the lessons learned in the sport are valuable in later life. If that is true, it can be equally effective in a process of regeneration. Tragic prison riots of recent years were caused invariably by the explosion of pent-up emotional steam. Thrilling runs for touchdown by "Alabama", "Arsenic", "Eggshell" and other heroes of the Sing Sing gridiron should keep open the safety valve of both the players and "the stands."

MRS. BERTHA COTTON GIVEN CLEAN BILL BY POLICE IN THE 'HUMAN FLY' ROBBERY CASE

Voluntarily Called on Detective Battles and Surrendered Only Two Pieces of Jewelry Which She Bought Several Months Ago

Following the disclosure last week of the capture of the "Human Fly" burglar, Harlem was thrown into a furore of excitement when one of the local papers carried a story implicating several of the most prominent women in Harlem as purchasers of various items of the stolen property.

One of the parties named was Mrs. Bertha Cotton, wife of Dr. Norman T. Cotton, of 220 West 139th street, who was alleged to have had "$40,000 worth of loot" in her home.

The prominence of the Cottons in the social and civic life of the city added to the excitement stirred by the charge, and made the story the theme of conversation in all circles.

Greatly Exaggerated

But a careful and intensive investigation by The New York Age discloses the fact that the stories as published are exaggerated to an abnormal degree, many of the statements being absolutely false.

Examination of the police records shows that some months ago Mrs. Cotton bought two articles of jewelry, a Reiman watch, set with 66 diamonds and 22 sapphires, and a flexible bracelet, set with 72 diamonds and 36 sapphires, for which she paid $950. These articles she purchased from a man who showed what was apparently a clear right to make the deal.

But when Robert Russell, the "human fly," was arrested, charged with having perpetrated innumerable jewel robberies in wealthy homes on Park avenue, Mrs. Cotton immediately called the 32nd Precinct on the phone and told Detective Sergeant Samuel J. Battle of the jewelry she had purchased, and voluntarily took the articles to the station house for examination to determine if they were part of the stolen goods.

Surrendered Jewelry

Examination showed them to be the property of Mrs. James J. Bush of 885 Park avenue, who had been one of the burglar's victims. Mrs. Cotton, without hesitation, surrendered the jewelry to Sergeant Battle, taking an official receipt for the same, this being done on Friday, December 11, the same day that Russell and his accomplices were arrested.

The police declare that the appraised value of the jewelry in question would not be more than $5,000 at the most liberal calculation, and did not approximate in any degree the $40,000 estimate as given in the story as published.

The story averred also that detectives had ransacked Mrs. Cotton's house in search for stolen goods, and that she "must go before the grand jury to explain the presence of the alleged stolen goods in her house."

Both the police and Mrs. Cotton declare unreservedly that there is no truth in this statement. Not one detective entered her house at any time except Sergeant Battle, who called at her express invitation, nor was she called to appear before the Grand Jury, although she voluntarily offered to do so if necessary.

But Assistant District Attorney Hastings, who presented the case against Russell and his confederates to the jury, declined the offer saying that her testimony was not needed, as it had no direct connection with the charges against the burglar.

The police officials exonerated Mrs. Cotton in every particular, expressing highest admiration for the honorable maner in which she acted, declaring that there is not the shadow of a charge against her.

The Grand Jury heard the charges on Wednesday, December 16, and returned indictments against Russell the burglar; Garland Patton and Milton Boyce, charged with disposing of the loot; and Milton Turan Morris Peltz and Herman Metz, the latter three white, charged with criminally receiving stolen goods.

At a preliminary hearing in the Washington Heights Court on Thursday, the original charges were dismissed, but the men were immediately arrested on bench warrants under the Grand Jury indictment and transferred to the tombs, where they are held in $25,000 bail each except Russell, who was held without bail.

Paid Lawyer $1,500

It is authoritatively reported that Dr. and Mrs. Cotton have been made the targets of shrewd efforts to mulct them of a large sum of mnoey by alleged political leaders. These men, it is alleged, offered their political influence to save the Cottons from further trouble, pointing out the possibility of Mrs. Cotton being subjected to harsh and brutal treatment by police officers in search of information.

Playing thus upon their fears, it is reported that a Harlem lawyer, acting apparently in concert with certain political leaders, demanded $5,000 as an alleged fee for his services, and did actually get a check for $1,500 from the doctor. No time was lost in cashing this check, drawn on a Patterson, N. J., bank, as was discovered when the doctor was advised to stop payment on it.

Thomas Sues for $100,000

The name of Mrs. Laura Thomas, wife of former Assistant U. S. Attorney James C. Thomas of 355 West 145th street, was also mentioned in the story as having been questioned by detectives.

On Tuesday morning, December 22, Attorney and Mrs. James C. Thomas, through their attorneys, Begun Brothers of 11 Park place, started action for $100,000 against the Amsterdam News and William Kelly, for libel. Their attorneys served papers on Mr. and Mrs. William H. Davis, owners of the paper.

In the meantime, the police are conducting a vigilant search for a Mrs. Julia Green, who is alleged to have been Russell's principal agent in the distributing of the stolen loot to the men who actually did the selling. Mrs. Green formerly lived in 138th street, but moved to 151st street. But when the police went to her home, they found that she had taken her two children and decamped to parts unknown.

Another woman mentioned in the story, Miss Sadye Chase of 208 West 151st street, the alleged paramour of Garland Patton, although not wanted by the police, has also disappeared, the police report.

Russell was given the name of "human fly" because in his operations he showed an uncanny facility in scaling high fences, walls, and even shinnying up drain pipes on sides of houses to gain acecss to upper stories of houses he designed to rob. He was captured December 11 on the roof of the five story home of Mrs. John W. Simpson, 926 Fifth avenue, after he had scaled the wall of George H. Warren's residence at 924.

Detective William Boyden, William Robinson and George Webber of the 32nd Precinct detective squad were among the officers assigned to the case, working from the East 57th Street Precinct

Crime-1931

Charleston ... Courier
Monday

These Gamblers

Henry Miro, a Porto Rican, was arrested in New York the other day on the charge of conducting a "policy" game. The allegation is that in four years he deposited in banks $1,251,556. Wilfred Brunder, another policy operator, is said to have made deposits larger than those of Miro. These men carried on their gambling games in Harlem and thousands of negroes were their victims.

One of the British delegates to the convention of the International Chamber of Commerce in Washington last week said that when one purchases shares in a corporation of which he knows or thinks he knows something, its assets, its earnings, its profits, believing that the shares will enhance in value, it may called "speculation" of a legitimate character. But when one buys shares of which he knows nothing the belief that hundreds of other people are buying and will continue to buy them, that the price will continue to climb, expecting to sell before their price falls, he is nothing more than a gambler. He is because he thinks that other bettors will force their price up and up.

While the conductors of the policy games win and lose millions, collecting from thousands of deluded and ignorant folk, the other gambling game involves billions. When the great game finally collapses, as always it does, as in 1929, industry and trade suffer depression in consequence, men are thrown out of employment, and widespread poverty sets in.

The gambling in stocks impoverishes hundreds of thousands, in "policy," only thousands.

At no time in the recorded history of the race we call human has gambling, betting, not been a common habit. The consciences of ninety-nine in a hundred men do not tell them that to take a chance is wrong. It may be that laws have checked gaming, laws may have saved myriads of men from losses. We doubt it. It is observation that betting in small and sometimes in large sums is common this day everywhere, among gentlemen, among ladies. Some of it is legalized, some of it is forbidden by statute—only the gambling "dives" are raided, only the negroes and hoboes playing craps in the back alleys and the pine thickets, in our part of the world are arrested.

Fancy that in Harlem, where 250,000 or more negroes live, gambling games are public and legal. Every man, woman and child who wishes to hazard two bits or five dollars is allowed to do so. Playing the game is not only lawful but respectable—there is no reason for men like Miro to hide their operations or for his customers to sneak into shadowy places to buy their tickets. The toll that Miro takes from every dollar is known, is posted—if it be 40 per cent the player knows it, he knows that Miro cannot lose, that out of every dollar he contributes forty cents goes to Miro for the privilege of contributing and that his chance is to receive a prize out of the accumulated sums of 60 cents of all the contributors.

In that case the buyer of policy would at least be aware of his folly, he might in time be taught to resist temptation, and it would be possible to compel the conductors of the game to play it fairly, not to cheat.

In that manner, we are informed, the racing lotteries in Great Britain are conducted—everyone is aware that whether a man in Buffalo draw a prize of $860,000 or not, the gains to the managers of the lottery will be one million, two million—there is neither secret about the game nor incentive to swindle in it.

Would it or would it not be better and wiser to allow the gambling games to go on in the open, in the hope that the people, the poor and the ignorant, knowing all about them, would train themselves to resist their lure?

This we do know, that whenever and wherever people wish to gamble they gamble, and that in the dark they are swindled and robbed by rascals driven to carry on their business in the dark. Moralists and reformers may be quite sure that they are saving the world from destruction by games of chance—we shall not interfere with the satisfaction they derive from their reflections.

Of this The News and Courier is sure; the great gambling, not the "speculation" (supposing that men like Bishop Cannon can and do draw a line between them), is the cause of "depression," of "panic," of failures in business, not the policy, not the crap games, not "contract" at a twentieth of a cent a point in parlors, of homes. Nor are those who learn "contract" and poker more than others the gamblers, later, in cotton and stocks.

Yes, one hears occasionally of a bank clerk "going wrong" as a result of playing poker—and one hears one hundred times as often of a business man defaulting by trying to "get rich quick" in the stock market, the cotton market the real estate market.

The commonest crime, and sin, in this country is dishonesty of one kind or another, fraud, plain stealing, it is frequently if not generally condoned by the "best people," and it will not be greatly reduced by throwing stones at gamblers. For most of us are gamblers, whether we are honest or not.

Separate Trial for Betty Green Denied

News 9-26-31

Betty Steward Green, indicted for aiding and abetting the kidnapping of Charles M. Rosenthal, young millionaire broker, must stand trial with the four white men for whom she is alleged to have acted as a decoy in luring Rosenthal into their hands.

Her attorney, Aiken Pope made a motion for a separate trail on Friday and was denied by Judge Corrigan in General Sessions.

The group was to have gone on trial Tuesday. However, the attorneys for the defense petitioned Supreme Court for adjournment. Action on the petition pending. Nick Rutigliano, alleged leader of the gang is being held in $100,000 bail and Mrs. Green and the others in $50,000 bail each.

MYSTERY IN HER CASE

BETTINE GREEN

NEW YORK, Oct. 1—(ANP)—One guess is as good as another according to those following the case of Bettine Stewart Green—but there are those who wisely shake their heads when the now famous case is mentioned and walk away.

As usual in such instances, there is the rumor that "Tammany" is interested in hiding the facts in the case, traceable to the engagement of Aiken Pope, a former Republican, who for the past two or more years has been flirting with the Democratic party.

10-2-31

Then there is the story that Bettine Green is not the "decoy" but there are three others held incommunicado in the women's prison down in Greenwich Village.

Whether or not the Green woman is guilty of the charges on which she is held in $50,000 bail those who "knew her when" are saying little and doing less.

Her Husband, Dr. Clarence "Spoof" Green is wisely saying nothing and letting matters take their course. At a recent hearing, last week, the bail was continued for the entire group.

Rosenthal, he who was kidnapped, is said to be unwilling to prosecute and has been placed under the watch care of the police—not that they are afraid he will be kidnapped again, but to prevent Mr. Rosenthal from skipping the city. That Mr. Rosenthal was quite a frequenter of the livelier places of Harlem has been spread by Dame Gossip, but when it comes to pinning those evasive statements down to fact, it is impossible.

At any rate, Pettine has been given considerable time to ponder her mistakes and if the state has its way, she will have even longer to think it over.

Pick Jurors In Betty's Trial

LAWYERS EXAMINE TALESMEN WITH CAUTION; COLOR QUESTION COMES UP

Betty Green Is Dressed in the Height of Fashion as Trial Begins in New York

(By Wire to The Call)

NEW YORK.—Twelve white men were chosen Monday and Tuesday as jurors to try Betty Stewart Green, Nicholas Rutigliano, Marcus Blumenthal, Theodore Adinofi and Albert Sileo in Rosenthal kidnaping in court of general sessions. Assistant District Attorney Joyce will prosecute and Aiken Pope will defend Mrs. Green.

NEW YORK—Would you vote for the conviction of the defendant Betty Green if the evidence showed participation in a crime without a guilty mind, that is without knowledge of what she was doing, and without criminal intent?

If it is shown that the defendant Betty Green has colored blood, would you be influenced by such knowledge?

And further, would you be influenced by the fact that she maintained business and social relations with both races?

Color Question Up

These are questions which Mr Pope asked of each prospective juror as counsel for defense and counsel for the people opened the court room fight which began Monday morning with the impaneling the jury. And from these questions two points early became evident: First, that Pope intends to prove that Mrs. Green was unconscious of my criminal act in what she was doing and was completely unaware of any abduction plot; and second, that his client had repudiated her earlier testimony that she was white and would face the court as a Negro.

Choose Jurors With Caution

As Pope questioned talesmen on color prejudice similarly J. P. Duff, who represented Sileo and Adinolfi, inquired as to their attitude towards people of foreign ancestry and particularly Sicilians. Of those examined Monday only one admitted that he had such color prejudice as to bias his judgment. He was challenged and relieved of jury service.

Selection of the jury was a slow process as the defense attorneys made frequent challenges after going into huddle conferences together and with their clients. Challenges on the part of the prosecution were less frequent.

Trial Begins

At 10:53 Monday morning, attorneys for the prosecution and for the defense having announced their readiness, the defendants were led in. The four men came in first. They were seated before Mrs. Green entered accompanied by an attendant. There was an expectant hush among the court room spectators as she came up the screened corridor and took her place beside her co-defendants from whom she remained aloof.

She was simply and becomingly attired in a two-piece brown wool crepe sport suits, white blouse, white gloves, tan stockings and brown alligator shoes. She wore a shirred brown velvet Empress Eugenie hat. On her arm she swung a fox neck piece.

The first juryman was called for examination. The trial had begun.

BETTY GREEN WEEPS IN COURT AS ALLEGED ALLIES DESERT HER

(Special to The Pittsburgh Courier)

NEW YORK, Oct. 14—Betty Green wept in court Friday as she heard Marcus Blumenthal, one of the four men defendants with her in the kidnaping trial, say on the witness stand that he was "not very friendly with Betty now." When Blumenthal said that Betty leaned forward on the counsel table, put her head on her arms and began to cry. Mrs. Green also heard herself branded as a common street woman by Prosecutor Joyce for her association with Charles Rosenthal, young Wall street broker, who she is charged with luring into the hands of kidnapers.

Throughout the trial Prosecutor John F. Joyce has injected the race issue against Negroes and Italians, but not Jews. It is believed the reason he has not shown prejudice against Jews is because young Rosenthal is a Jew.

Up to Friday Mrs. Green was thought to have a good chance of going free, as no witness had said she knew of a plot to kidnap Rosenthal. All said she had been told Rosenthal owed money to one of the defendants, and he had asked Mrs. Green to help him get Rosenthal where he could talk to him and try to get his money. But on Friday court attendants intercepted a note written to Mrs. Green by Blumenthal which gave instructions as to how she was to testify. The note was read to the jury by the prosecutor, and said: "Betty, I didn't promise you any certain amount of money. I only said I'd take care of you if you helped me get the money which Rosenthal owed me. Don't forget you called me at Bradhurst 2966. You don't know whether that is my number or not. I saw you twice after the kidnaping, once the same night and the second time a few days later. You asked what happened and I evaded answering. You don't know whether I lived at 92 Hamilton Terrace or not. You don't remember whether you had seen Teddy or not. Be a good girl and don't worry."

The admission of this note in the evidence is expected to strengthen the case against Mrs. Green.

Blumenthal maintains that Rosenthal was a party to the kidnaping plot, and that Rosenthal was to get half the money to be paid as ransom. The trial was continued Tuesday morning. Betty's husband, Dr. Spoof Green, was frequently in court to hear the testimony. His wife had not been called to the stand up to adjournment Friday. Aiken Pope is attorney for Mrs. Green.

Crime-1931

DECLARE WAR ON CONVICT LEASING IN NORTH CAROLINA

CHARLOTTE, N. C., Feb. 19—(By CNS)—A war to the finish to destroy the present convict lease system in North Carolina was declared at a conference here Monday between high officials of the State Federation of Labor and the State branch of Associated General Contractors.

V. P. Loftis, secretary of the North Carolina Branch of Associated General Contractors, and R. R. Lawrence, president of the North Carolina State Federation of Labor, appeared before the State Highway Commission demanding that the commission grant no contracts to private corporations that are working convict labor. A direct attack upon the system under which the highway department has granted contracts to such companies as that of R. G. Lassier of Raleigh and others working free labor in competition with convict labor has begun.

11 Negroes Die In Prison Blaze

Officials Admit No Guards Were On Duty At Time Of Fire; Probe Begins

KENANSVILLE, N. C., March 7.—(AP)—Death of 11 negro convicts in flames which destroyed the central building of the Duplin County Prison stockade today brought a triple investigation.

The County Coroner, the County Commissioners, and State welfare and prison officials launched inquiries.

While investigations were being pushed, a heap of ashes, piled in one corner of the corrugated iron cell block which contained all of the victims, served as a smouldering reminder of the early morning tragedy.

This afternoon officials of the county road system admitted no guards were on duty when the flames broke out.

The building, which housed the cell blocks, was located in the center of the stockade, formed by four buildings. The victims were never reached by the flames, but their bodies were charred by the intense heat generated within the metal cell by the flames which raged through the wooden building around it. Convict cooks were first aroused by the flames, which originated in the kitchen. Not being fastened to their quarters, as were other prisoners, they awakened guards in an adjoining building.

The officers ran into the center entrance of the blazing building and released the first 16 men in the cell blocks. These, screaming and howling and maddened by terror, fought wildly in a stampede for the door.

Owen Basley, Jr., guard who released them, was knocked down in the rush and received head wounds.

When the guards sought to unfetter the men in the second cell block, they found death had preceded them.

A jury inquest, summoned by Coroner Bridgers, found late today the fire started "from an unknown cause" and that there was no evidence of "criminal negligence on the part of anyone."

CONVICTS 'ROASTED ALIVE'

RALEIGH, N. C., March 12—Much concern is being manifested by the State Department of Public Welfare in the roasting of eleven convicts alive at the Duplin county stockade last Saturday.

The eleven men, trapped in their cells, were burned to death early on Saturday morning as flames swept the entire stockade. The fire was not discovered until it had gained headway, and the men were unable to do anything for themselves and rescuers were unable to reach them.

Forty-one other convicts, of which twelve were whites, were led from the burning building, but many of these suffered from burns and the effects of the smoke. The heavy timbers of the stockade burned rapidly and in a few minutes the whole place was reduced to ashes.

The bodies of the dead men were left in the cage among the smouldering embers to await the coroner and his group of investigators. They were informed that the fire was first discovered by residents in the community at Kennansville and that these citizens had assisted the stockade officials in removing prisoner as rapidly as possible.

According to the reports of the witnesses, the dead men were in the cage, remote from the stockade entrance. Smoke and fire prevented the rescuers from removing the 11 inmates. The men groaned and screamed for help, but to no avail, as the flames consumed their bodies. Many of them are believed to have succumbed to suffocation before the fire actually destroyed them.

Mrs. W. T. Bost, state commissioner of public welfare, ordered State Penal Inspector L. G. Whitley to proceed at once to the scene of the tragedy and to make a thorough investigation.

GREENSBORO, N. C.
NEWS

MAR 23 1931

WHERE A SHORTAGE EXISTS.

While North Carolina may be staggering under an over-production of cotton, tobacco and other commodities, there are increasingly disconcerting signs that the state is suffering from an acute shortage of official responsibility.

Two years ago a group of convicts and a heavy charge of dynamite were being transported in the same trucks, the helpless wards of the state literally chained to the high explosive, down in Sampson county. When a fatal blast occurred, two prisoners were killed and several others were badly injured. Yet a subsequent investigation revealed that no one was to blame.

A few months ago a young white man was killed as he fled from a still which was being raided by two Nash county deputy sheriffs. The officers had guns; one of them admitted that he fell down; another was reported to have said that he fired in the air to frighten the fugitive. The victim gave his version of the shooting before he died. An official silence followed the tragedy, although conflicting reports and rumors flew thick and fast. The end of it all was exoneration of the two deputies at a belated coroner's inquest; the victim came to his death, so to speak, from wounds inflicted by a gun in the hands of unknown parties.

Several weeks ago fire destroyed the ancient, highly inflammable convict stockade in Duplin county. Eleven negroes, locked in steel cages encased by what proved to be little more than tinder, were roasted to death. Not even a watchman was on duty to liberate them in event of flames. But no criminal responsibility was involved in the holocaust; a coroner's jury voted all persons and officials who might have been concerned a blanket verdict of exoneration.

A week ago yesterday five New Hanover county deputy sheriffs halted a United States mail truck on a bridge near Wilmington, acting on a "tip" to be on the watch-

suspected rum runner. Th

which followed the fatal b..tle in which a deputy and the truck driver were killed is too fresh in the minds of North Carolinians to call for recitation. A coroner's jury, in star chamber proceedings, promptly returned a verdict which declared that no one was to blame for the tragedy. Whether responsibility will ever be fixed is problematical in the light of grand jury investigation and the filing of murder charges against the officers by a friend of the slain driver. But under the present status no one is responsible.

Tragedies just happen in North Carolina. One halts in placing the blame between an especially unkind fate and the collapse of constituted authorities who are not only unable to fix responsibility but in all too many instances fail to recognize their own.

North Carolina.

GALVESTON, TEX.
NEWS

MAR 10 1931

THE PRISON TRAGEDY IN NORTH CAROLINA.

Chained to their bunks, 11 negro convicts died in an early morning fire which last week destroyed a North Carolina road camp. The bunk house was of corrugated iron, and news accounts of the tragedy say that the victims were literally roasted alive in the heat generated by the burning of adjacent wooden buildings. Guards unshackled 41 convicts in time for them to escape the horrible fate that overtook their fellows.

An official investigation has been launched, and doubtless it will result in reforms of the system whereby state convicts are permitted to be employed on highway work, or perhaps in abolition of the system itself. It appears that if the sleeping convicts had been unfettered, or even if the fire had been discovered before it gained headway, no loss of life would have resulted.

No doubt the flimsy and insecure nature of building construction imposed by the necessity of moving the road camp from place to place will be pleaded as an excuse for chaining the prisoners overnight. It is admitted that the fire was not discovered sooner because no guards were on duty at night. The state law, it is explained, does not require it. But the absence of legal requirement does not absolve those in charge of the camp of moral responsibility for a tragedy that probably could have been prevented by the exercise of intelligent foresight. Lack of this faculty is a fault far too prevalent in our American prison administration.

WILMINGTON, N. C.
STAR

MAY 18 1931

ACQUITTAL OF GORE

Acquittal of ALLEN GORE, negro accused of murdering a night watchman, *The Star* receives as a triumph of deliberative justice. The evidence against the man was purely circumstantial; he was without means and

was defended by an attorney appointed by the court, and was given into the hands of the law under circumstances that might indicate he was betrayed to the police through personal vengeance.

The particularly brutal murders of two watchmen under similar circumstances at approximately the same spot and within a comparatively brief space of time, constitute one of the most baffling mysteries with which Wilmington police have had to deal in more than a decade. So many possible factors have entered into the two crimes that the task of unravelling has presented many obstacles and difficulties. Still, *The Star* has long held the impression that these murders are the crimes of a white man and not of a negro.

It is a racial attribute of the negro that he kills usually for purposes other than vengeance. If, in the present instance, as the state contended in GORE's trial, the killing was for the purpose of robbery, it seems wholly illogical to believe that any sane man, white or black, would take the time and trouble to effect an entrance into a warehouse and there slay the watchman for a few dollars. A criminal that desperate would have found it far easier and possibly more profitable to have staged a stick-up in some quiet and lonely section of the city.

When two murders are committed in almost identical manner, on nights when weather reports show the same atmospheric conditions prevailing, it is fairly safe to assume that some plot more intricate than the chance hope of gain by robbery motivates the crimes. The police, in our opinion, will eventually find that a white man killed both these watchmen and that his motive was most probably vengeance for some real or fancied wrong, else he was engaged in some desperate undertaking which made it imperative that the watchman be silenced.

In the meantime, the New Hanover court is to be commended upon refusal to convict on circumstantial evidence. The history of the American judiciary is dotted with far too many instances of innocent men spending the best years of their lives in penal servitude when innocent of any crime. Circumstantial evidence is often convincing, but some of the convincing bits on record have proved to be without basis in fact.

WINSTON SALEM, N. C.
JOURNAL

JUL 10 1931

Justice Shines More Brightly

"Ah wuz ready to die again but ah'm sho' glad ah'm going to live again. Ah feel 'most like a cat that has nine lives, ah sho' do." Obviously it is an untutored negro speaking. Six times he was almost within the deadly embrace of the electric chair. As many times some judicial or executive arm reached out to save him. The last time this arm waved a commutation over the negro's path to the chair and the death train was flagged for good.

Two views of this nerve racking episode are possible and plausible. One view sees in it a weakness of justice and the judicial system that should come so nearly on so many occasions to taking the life of a man of whose guilt an expert and unbiased investigator finally expresses grave doubt.

But the other view rises to contend that the commutation of the negro's sentence shows forth a distinct advancement in the process of dealing out justice. There are quite too many gruesome instances on record where mob violence has been dealt out to victims against whom there was far less convincing evidence than there was in this particular case. The evidence was strong that this negro committed the murder charged against him. The supreme court found no fault with it. But despite the judicial attitude, Executive Counsel Taylor, after sifting the case in a fine meshed vessel, thinks the doubt is too great to allow the negro to die. The case is distinctly one that reflects creditably upon the administration of justice in North Carolina.

NEWS
Ft. Lauderdale-Fla

JUL 18 1931

CIRCUMSTANTIAL EVIDENCE

There is a happy negro in a Raleigh, N. C., jail. A day or two ago his hair had been clipped in preparation for the electric chair. Somebody, investigating, found out there was a probability that he was innocent and the governor has commuted his sentence to life imprisonment.

Circumstantial evidence is dangerous and no man should be put to death unless the circumstances are practically established facts.

Numbers of men have been executed for crimes they never committed. The circumstances were convincing at the time of the trial, but later other facts, unfolded, presented the horrible truth, after it was too late to rectify the mistake

Durham, N. C. Sun
Thursday, July 30, 1931

Whites Lead in Violations Of Law Here, Report Shows

Reversal of Crime Situation in Recent Years Is Indicated by Arrests Made by Local Police Department; Total Arrests Last Year 5,967

Durham's white male population looks with greater disdain and lack of regard for the laws which regulate the conduct of the people than does the black man. In former years the colored man has lead in the number of arrests made by the police of this city, but the past fiscal year saw the situation completely reversed, with the white man assuming the leadership in law violations by a substantial majority.

Statistics compiled by Chief George W. Proctor for the past fiscal year on the operation of this department show that 2,905 white men were placed under arrest as compared with 2,428 colored men. In other words, 477 more white men were taken in custody for various causes last year than colored men.

Police and court officials are at a loss to explain the causes for the reversal of the situation which has heretofore played up the black man as the principal violator of the law. Unemployment was offered by several of them today as a possible answer to the question. All persons interviewed were of one accord to the extent that there was more unemployment during the past fiscal year than during the previous years. This, they feel, caused many men to steal and violate other laws who would have remained law-abiding had they beeu able to secure employment, or if they were able to work enough to make a living wage.

The white and colored men ran a close race for first position in the number of arrests for 1929-30, statistics reveal, with the Negro holding the lead by the slight margin of 24. During that year 2,476 colored men and 2,452 white men were arrested by the police.

Crime is divided into four classifications on the annual report of the police department. Felonies, misdemeanors, city ordinance and juvenile delinquency. Last year found the white man leading in arrests for misdemeanors and city ordinance violations with the Negro man outnumering the white by more than two to one in felonies. Negro male juvenile offenders also lead the whites. A total of 2,467 white men were arrested during the year for misdemeanors as compared with 1,891 Negro males, while 267 white arrests for city ordinance violations were made against 99 colored. In the matter of felonies 153 white men were arrested while 348 Negro men were brought into court on this score.

A continuatio nof the undesired supremacy in law violations by the white males is expected this year. According to the police the records thus far show that the white men are violating the law in large numbers. Yesterday they lead the colored by a large margin in the number arrested.

Arrests last year totalled 5,967, the chief's report shows. Of this number 3,118 were white and 2,853 colored. Again the value of careful investigation of cases presented to the police involving arrests was shown in the percentage of convictions secured in court. Of the total arrests 5,595 convictions were obtained in court to give a percentage of 93.76.

Arrests for last year exceeded those of the previous year by 319, the statistics reveal .The number of felonies decreased from 665 to 555, however.

The situation is a serious one, those interviewed regarding it declared today. While unemployment may have had a big hand to play in creating it there are other underlying causes which they are as yet unable to determine. Nobody from Chief Proctor down was willing to express himself as to the other causes. They admit that the white man is steadily increasing in numbers in police court as defendants.

Crime-1931

North Carolina

High Point, N. C. Enterprise
Monday, July 20, 1931

THE CRIMINAL RECORDS OF NEGROES AND WHITES

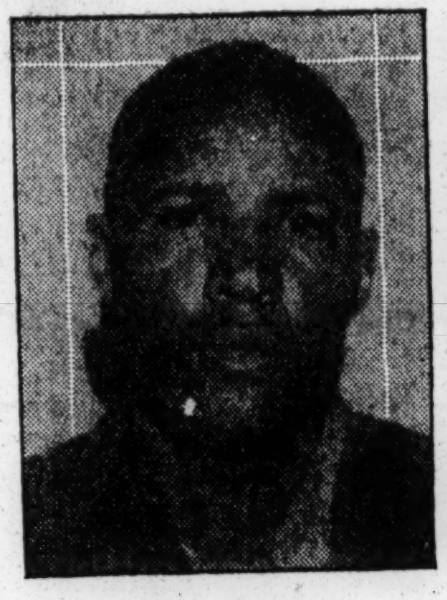
Within the memory of those distinctly younger than the oldest citizen, the criminal courts of North Carolina had as grist chiefly what the negro race furnished them. The percentages of white defendants was small, not only comparatively but absolutely. The disparity was particularly obvious in the city courts. The whites might supply their share or more of homicide and moonshining cases but the run of the mine offenders were negroes in the main.

The change in that aspect of Tar Heel life in recent years has been painful. A reporter directs attention to the fact that 48 of the 50 persons arrested for offenses against the law in this city during the four days ending Saturday were white persons. That proportion is unusual even now, but it impressively emphasizes the condition to which we refer.

Any possible theory that the illustration is of sporadic incidence is disrupted by reference to the records of the state prison and other jail and court records in the state. Very clearly these records show that the whites are populating the jails of this state to an extent formerly unknown. A depressing change in the view point of the young white has come about. A sentence in court no longer seems the degrading, damning experience it once seemed. We have lost not only something of our respect for the law but of our self-respect, an infinitely more dangerous happening.

The local figures were padded to some extent by arrests for infractions of the law which involve no moral turpitude, but, unfortunately, these are not in the majority. White men are stealing where once the colored man was the pilferer, and the average community now has a deplorable number of men with that kind of police record. Apparently the negro is becoming more self-respecting as the white grows more callous of his character.

TWO MEN ARE SENTENCED TO DEATH BECAUSE THEIR COLOR "FITS" CASE



LANCEY STERLING

GEORGE DAVIS

Circumstantial Evidence Almost Wins, But Governor Grants Reprieve

Special to Journal and Guide

RALEIGH, N. C.—How the merest of circumstantial evidence uttered by a white man or woman can conspire to send black men to the electric chair and untimely death, is well demonstrated in the experiences of Lancey Sterling and George Davis, who are now serving life sentences in state prisons for the murder of a white storekeeper in New Hanover county.

Davis is short and dark, Sterling is tall and light; and the only evidence stressed at the trial of the men was that the murder was committed by a "short, black" Negro, and a "ginger-cake" Negro. Therefore, despite the fact that from the very beginning there has been much doubt as to the guilt of either of the men, they were sentenced to die in the March, 1930, term of the New Hanover County Superior Court, just because the sorrow-shaken wife of the dead storekeeper insists that the murderers were (1) "short and black", and (2) of a tall "ginger-cake." type.

In the case of Davis, no other evidence could be mustered, except that of his color, to connect him with the crime, and, after one respite and one reprieve, the governor was moved to commute his sentence to life imprisonment.

There was scarcely any more evidence against Sterling, and what is more there are strong suggestions that the wife of the dead man did not speak all the truth when, in pointing out Sterling as one of the murderers, she maintained that she had never seen him before the night of the crime.

The facts, as gathered by a social investigator, tend to prove that the woman must have known Sterling before, because he lived in the community where the murdered storekeeper's filling station was located, and was well known as the leading bootlegger in the section.

It has been specifically revealed, furthermore, that for over a period of three years, Sterling had been purchasing sugar, meal and the other material that go into the making of liquor, from the murdered man; and that on several occasions the wife of the storekeeper had sold commodities to him.

Conveniently forgetting all these facts, the widow of the murdered man as the chief prosecution witness, swore that she had never, never seen Sterling before, and that her ability to recognize him in court was due altogether to the brief view she had of him amid all the confusion that goes with a hold-up and murder.

As in the case of Davis, the governor stepped in to rob the electric chair of a missent victim, and after one respite and six reprieves he commuted Sterling's sentence from death to life imprisonment.

There is some chance that the lack of real evidence in the case of Davis and the perjured testimony in reference to Sterling will open a way for these men to secure complete pardon and release from the horrors of the prison; but in the meantime, now designated simply by numbers, these men are compelled to pay a penalty for the "sin" that one is short and black, and the other, of a tall, ginger-cake hue.

North Carolina Abolishes Use of Lash in the State's Penal Camps After Welfare Department Acts

New York Times

Gov. Gardner Recommends Drastic Action, Declaring Greatest Human Service by State Would be Uniform Treatment of Prisoners

Raleigh, N. C.—In the year 1923, during the administration of Governor Cameron Morrison, the use of the lash and flogging was abolished at the State's Prison by an executive order. Prior to 1923 and since, flogging of prisoners has been a method of punishment in the county prison camps of North Carolina. In the majority of cases of flogging, Negro prisoners have been the victims; only on very rare occasions have white prisoners felt the sting of the lash.

July 1, 1931, all of the county prison camps o fNorth Carolina were taken over by the State Highway Commission, and have been operated since that time as a part of the state's penal system.

Wake County Whipping

The matter of the use of the lash was brought to a head by whippings in Wake County. Oscar Dorsett, a Negro prisoner, working in the Wake Forest camp, was whipped about a month ago. Though the prison rules adopted recently provided for all sorts of safe guards and publicity, it was an accident that the whipping got out and it came from sources entirely unrelated to the camp.

Dorsett was whipped on a certain day but no record of the time kept. The strokes were placed at thirty-five by one witness and forty-five by another but represented the prisoner as well flogged.

Oxley Urged action

Lieutenant Lawrence A. Oxley, state director, Division Negro Welfare, North Carolina State Board of Welfare, during the seven years of his tenure o foffice has consistently worked for the abolition of the use of the lash and other inhumane method of punishment—with Ne-

gro prisoners usually being the victims. There wasn't any great fight for the use of the whip.

Charles Ross, General Counsellor to the State Highway Commission, argued that the lash was the quickest corrective and soonest settled.

Governor Garden, acting on the recommendation of Mrs. W. T. Bost, State Commisioner of Public Welfare, was unmovable in the position that the state could not have the whip for one set of prisoners and oulaw it for the other. The present state administration is committed to the policy of its two predecessors, both of which outlawed the lash and with apparently satisfactory results.

Governor Against Flogging

Governor Gardner did not hesitate to disapprove personally the principle of beating prisoners. To newspapermen he repeated a story in which a Negro badly beaten in one of the county camps was reported by a reputable physician as having received "ten strokes." Superintendent George Ross Pou later counted on the back of this Negro sixty-nine lash marks.

The Governor emphasized the utter impossibility of delegating any such job to anybody. "I really think. "said the Governor "one of the greatet social and humane services to be rendered the State will come from the State Highway Department taking over under a uniform policy the large and increasing number of county convicts and seeing to it that each able-bodied convict is required to work and that all will be treated alike in every camp of the State."

Wants Modern Prison Camps

The Governor further approved the policy of the Highway Commission in its plan to erect modern prison camps as rapidly as possible These camps will be equipped to accommodate seventy-five prisoners and provide them with water and sewerage.

"It is most important," said the Governor, "to stanadrdize the management, discipline, food and general control of county prisoners.

"There will be also physicians where each camp is located, working on a salary basis, to examine all prisoners sentenced to the road before they are put in with the other prisoners in the camp, to see that proper hospitaliztion is provided and to submit all prisoners to examination for venereal diseases and treat them."

In officially abolishing the use of the lash at the State's prison and in the several sub-divisions of the State's penal system, North Carolina public opinion is evidenced in the general unanimanity with which the Governor's action has been received throughout the state.

The Lash Outlawed

NORTH CAROLINA has definitely outlawed the whipping of prisoners. This barbaric practice is no longer sanctioned by State penal officials. In 1923 when the present United States Senator Cameron Morrison was governor he abolished by executive order flogging at the State penitentiary. But the practice has continued in county prison camps, wherein a majority of persons incarcerated for crime serve their sentences, and where, on account of lack of standardization and loose methods prisoners have suffered unspeakable tortures at the hands of incompetent and inhumane prison bosses, responsible to no one in particular, in so far as their treatment of convicts was concerned.

Now, through the efforts of the State Department of Public Welfare, backed up by an enlightened public sentiment the whole system of county prison camps has by executive order of Governor Gardner been taken over by the State Highway Commission; and an official ban ha been placed upon flogging of prisoners.

Terrible things have happened in county pris on camps in the South, and North Carolina camp have made their contributions to the scandalou outrages. Readers of the JOURNAL AND GUID will recall that a few years ago prison camp au thorities near Rocky Mount chained some Negr prisoners to a tractor and dragged them unti they were dead; also a more recent case in Wak county, when a prisoner was beaten to death Thanks to the vigilance of the State Departmen of Public Welfare there were prosecutions in thes cases and prison camp supervisors are now serv ing time for them.

Recent complaints concerning inhumane treatment of prisoners in Virginia county camps brought forth a denial by Director of Public Welfare Frank Bane, after an investigation of the complaints. But the investigation should be extended to all prison camps in the State, should be thorough and impartial, with the camp officials themselves excluded as investigators. If this is done, no one who is familiar with prison camp conditions in the several states where they are in vogue doubts that there will be disclosures which will lead Virginia to follow in the footsteps of North Carolina in abolishing the tortures that are unnecessarily inflicted upon the unfortunate convicts.

North Carolina is to be congratulated upon having taken another forward step in modern government.

GREENSBORO, N. C.
NEWS
SEP 26 1931

ANOTHER ACQUITTAL.

Prohibition enforcement, as typified by several incidents with which North Carolinians are familiar, is apparently not the only field in which lawlessness within the law is not only condoned but upheld by the verdict of 12 men good and true.

For instance, there is the case of Gordon Watkins, former Wake county prison camp employe, who has been acquitted of manslaughter in connection with the death of William Bellamy, young negro convict, after confinement in a prison camp sweat box more than a year ago. Convicted of assault last fall and given a six months' sentence, Watkins won a new trial and late Thursday was freed by a jury after deliberations lasting only 30 minutes.

The acquittal came in the wake of evidence that the negro had been kept in the sweat box all of one night and sent out to work next morning, although he had complained of being sick, and admission by the defendant that he had "violated rules laid down by the county commissioners for the treatment and care of convicts." It was likewise brought out by the prosecution that the instrument of torture in which the prisoner was confined contained 183 cubic feet of air space whereas the minimum set by the state board of health as sufficient is 500 cubic feet.

Even nature co-operated to give the jury some concrete idea of the suffering and the heat to which Bellamy must have been submitted as the director of the United States weather bureau at Raleigh, called as a witness, said that the temperature at the time of the negro's incarceration and subsequent death was only slightly higher than Wednesday's high thermometer reading. At that time the heat was sufficiently excessive to cause stoppage of court and a recess of several hours. Certainly, too, there can be no comparison between a jury box and the sweat box in question.

It is significant that acquittal came after defense counsel had glorified "the good old days when unruly convicts were taken out to the whipping post" and accorded present methods of handling prisoners a sarcastic treatment in which it was suggested that guards be equipped with powder puffs instead of guns. What such oratory had to do with the evidence at hand is difficult to understand, although it can be safely said that its obvious effect adds nothing to the credit of the jury system or can react with any such facility upon a public opinion which has long since condemned such inhumane practices as were related during the course of the self-same trial.

Crime-1931

RALEIGH JURY FREES WHITE SUPERVISOR IN BRUTAL KILLING

Watkins Flayed by White Press After He Is Alleged to Have Struck 18-Year-Old Prisoner With Handcuffs While He Was In "Sweatbox"—Case Created Sensation.

RALEIGH, N. C., Oct. 1—(By CNS)—A jury of 12 white men allowed Gordon Watkins, former supervisor of Wake County Convict Camp No. 5, to go free from the charge of manslaughter of Willie Bellamy, 18-year-old colored boy, who last year was sentenced to serve a short term at the camp for a minor offense. Watkins was accused of brutally beating the boy, striking him with steel hand-cuffs while he was in a "sweatbox" and causing him to work in a gravel pit five days in July, 1930, when the temperature ranged from 90 to 92 degrees, and the boy was seriously ill. On a previous trial Watkins was convicted and sentenced to serve six months in jail. Two other prison guards, Swannie Council and Vance Mangum, were also tried at this time, but were acquitted.

In the previous trial the North Carolina Supreme Court reversed the decision because the lower court erred in telling the jury that handcuffs were a deadly weapon. On the re-trial of the case it was brought out that on five days prior to July 26, 1930, Bellamy, who had been sentenced for an infraction of prohibition laws, was made to work under excessive heat and had begged Watkins to let him rest. The white supervisor refused the boy's request and beat him because he would not work. Contrary to rules governing the prison camp, Watkins reduced the food given the boy and caused him to be placed in a "sweatbox" and had his feet manacled to the inside of the compartment. Bound as he was, the testimony reveals that Watkins with the aid of the other prison keepers, beat the boy unmercifully over the head with steel handcuffs until he was in an unconscious condition. He died as a result of the beating.

Prosecution Proves Case

The prosecution, vigorously conducted by Solicitor Brasfield, brought out on the testimony of competent witnesses that the boy was seriously ill at the time he was made to work and that the reduction of his food allowance was a direct disobedience on the part of Watkins to prison rules. Watkins on the witness stand withered under the cross-exaxmination of the prosecution and admitted that he had broken prison rules, but said he thought the youth was faking.

Jury Won Over by Lawyer

The jury in the retrial of the case was won over by the plea of the defense lawyer. All during his closing argument the 12 white men were nodding and smiling at him when he pleaded that "in the good old days, when unruly convicts were taken out to the whipping post and you never heard anything about things like this."

Guard Brags of Killing

Indicative of the testimony offered by the prosecution, which the jury evidently refused to accept, was the inquiry by Solicitor Brasfield of Vance Mangum, one of the white guards implicated in the killing, if he did not brag about the killing of Bellamy to a man named Carney in Louis Price's house of prostitution, stating: "We killed one nigger out at the camp today, and we'll kill another one next week."

Watkins' Brutality Flayed

So outraged was the decent element of the white population of the State of the killing that the Gastonia Gazette criticized the North Carolina prison system in a stinging editorial at that time. The editor of that paper said in part then: "We have an idea that inhuman treatment disgraces many a convict camp in North Carolina. Unless it results in death, the public never hears of it. It is a very rare thing that any indictment follows. Boards of county commissioners are, as a rule, too prone to take the word of guards and convict camp overseers and discount anything said by the prisoner himself who has suffered indignities and perhaps physical abuse at their hands."

Abolish Lash May Better Condition

The widespread publicity given the Bellamy case is believed to have had some effect on the decision of Governor O. Max Gardner to abolish the lash in prison camps recently. Lighter supervision of the camps and the abolition of inhuman punishment will result from the governor's move, it is felt by Lieutenant Oxley of the North Carolina Welfare Board.

Negro Doomed to Die, Pardoned by Gardner

RALEIGH, N. C., Nov. 25.—(AP)—This Thanksgiving Eve brought James Smith, a North Carolina negro, possibly the best reason in the world for joining the rest of the country in considering tomorrow something more than just the 26th of November, 1931.

This morning James awoke in a narrow cell at the state prison here, under sentence of death in the electric chair.

Tonight he went his way a free man, granted a full pardon today by Governor O. Max Gardner.

It was the second pardon issued by the governor in the three years he has been the state's chief executive. The first was to a young white man who was made the governor's chauffeur.

Smith was convicted of burglary and an attack upon a negro woman. The governor said an investigation established a bad reputation for the woman and that other evidence showed Smith should not have been convicted.

STEALING IS INCREASING IN WHITE FOLKS

Forty Out of Fifty-five Cases in Raleigh Are White

RALEIGH, N.C.—(ANP)— The spread of delinquency among whites of the South is beginning to cause considerable concern. There was a time when the South encouraged propaganda to the effect that Negroes were generally given to pilfering and stealing; point out that such offenses were looked on mildly as they were almost a racial trait. The shoe begins to pinch the other foot, the Greensboro Daily News, points out in a recent issue, saying:

"Nearly all of the fifty-five defendants convicted during criminal Superior Court, the weeks of October 26 and November 2, were involved in some form of theft, the statistics by Herman C. Wilson, deputy clerk, show. The average age of the defendants, of whom forty were whites, was slightly more than 29 years.

"So runs the continued story, now a distressing serial of several years standing, in every court in the state which convenes for the trial of criminal cases.

"Running between the young men and the old" is a modern sewer of complacency concerning the common stealing that a generation ago would have disgraced the offender with his own kind, as well as put him in jeopardy of the law. And the bitter criticism holds true in the analysis, which goes to support what has become the general rule, that the Negroes learn to keep their hands from picking and stealing, the white race is taking over the vice the brother in black is rapidly abandoning!

"Indeed, as this scandal grows the south has another race question on its hand: "The White Man Problem.'

Labor Body To Fight For Convicted Negro

NEW YORK, Dec. 20.—(AP)—The International Labor Defense announced today that it would fight for the life of a North Carolina negro sentenced to death after conviction for a first degree burglary charge of stealing a pair of shoes.

At the same time the labor organization attacked the treatment of negroes in several Southern States, citing instances of alleged injustice.

In the North Carolina case John Moore, a Winston-Salem negro, was convicted of first degree burglary on a charge of entering the home of Mitchell Keyes in that city, and stealing a pair of shoes.

Negro Electrocuted.

RALEIGH, N. C., Dec. 18.—(AP)—Chevis Herring, 24, negro, was electrocuted at state's prison today for the murder of F. F. Newton, 70, postmaster at Kerr, who was robbed and slain in a woods near Kerr last year.

NEW YORK SUN

DEC 29 1931

STRIVE TO SAVE LIFE OF THIEF

Lawyers for Negro Facing Death Ask Mercy.

THEY EXPECT COMMUTATION

North Carolina Judge Indicates Desire to Spare Man.

WINSTON-SALEM, N. C., Dec. 29 A. P.).—The case of John Moore, Negro sentenced to die for first degree burglary because he entered the room of a sleeping girl and stole her shoes, is to be laid before Tyre C. Taylor, executive counsel to Gov. Gardner.

The Negro's attorneys said they confidently expected the Governor to grant a commutation of sentence, especially since Judge John H. Harwood had indicated a desire to save the Negro from the electric chair, although he was forced to impose that sentence after the jury's first degree verdict.

In North Carolina burglarious entry into a place where anyone is sleeping carries the death penalty, without alternative, upon conviction.

Moore's attorneys said a conference with Taylor had been set for January 5.

The case of the Negro has aroused interest in various parts of the country to such an extent that protests against putting the sentence into effect have been filed with court officials here and with the Governor, J. T. Hollister, Jr., one of the lawyers, said.

Crime-1931

Ohio

CRIME AMONG NEGROES OF CLEVELAND

Startling figures as to the proportion which the Negro contributes to the criminal class of Cleveland was given out this week in a published report by the Wickersham commission. Call and Post

From this report it appears that investigators found that the number of Negroes arrested for violation of liquor laws greatly exceeded the combined totals of native and foreign born whites. The report states:

"Cleveland reported 69.3 native whites out of every 10,000 male population, 15 years of age and older, arrested for liquor law violations, as against 85 foreign born whites and 187.9 Negroes. 8-29-31

"Cleveland police supplied the commission with a special tabulation of the men on the famous Cleveland "black list" as of March, 1931. Of the 121 men on the list at that time, the Cleveland police distributed them by nativity as follows: Cleveland, Ohio.

"Native white of native parentage, 4. Native white of foreign parentage, Hebrew (country not specified) 21, German 15, Italian 13, Irish 9, French, 4, Polish, 4, Slav (country not specified) 3, Czechoslovakian 2, English 2, Hungarian, 1. Forein born white: Italy 13; Hebrew (country not specified) 12, Mexico, 2, Germany, 1, Greece, 1, Hungary, 1. Negro, 13."

While these figures seem to characterize the Negro group as being the most lawless of Cleveland's population yet it is a well known fact that the Negro who happens to be arrested in 90 percent of the cases becomes enmeshed in the toils of the law by reason of minor infractions of law are for petty offenses in the liquor cases which infractions among other groups are not only not sought out but when known of are winked at and overlooked by law enforcement authorities.

The helplessness of the Negro from an economic point of view has made him the scape goat of American civilization. One frequently may note instances of wholesale arrests in Negro districts whenever some shockingly criminal act has been committed in other sections of the city of Cleveland and other American cities. Let the Wickersham commission investigate further into the statistics that have been handed to the commission of crime by Negroes in Cleveland anl at the same time let them seek information as to whether the criminal acts complained of against Negroes as the basis for arrests among other groups.

We warrant that a careful analysis and comparison of this information would bring forth more startling reflections upon the question of the crime situation in Cleveland and elsewhere throughout the United States than have heretofore been reflected.

DECLARE NUMBER KING LIED IN GRAND JURY TESTIMONY

Call & Post

12-14-31

Ace of Policy Racket Changed Story From One Given Investigators in Probe Last January 26th

Offense Carries Penalty of 1 to 10 Years in Penitentiary on Conviction. High Police Officials Are Called in Probe.

Cleveland, Ohio

Detective Captains Emmet J. Potts and Sergeant Emil Smetana head of the racket and gambling squads which have been active in the third district, were called to give testimony the latter part of last week in the vice and gambling protection probe instituted a few weeks ago by the County Proscutor's office. While it is not known definitely what the officers had to say to the grand jury, it is believed they were questioned regarding a policy raid n which 50 persons were arrested and sent to the work house on failure to pay fines of $25 and costs and one that followed a few days later in which 65 persons were arrested, but were released, when the evidence was found to be insufficient to gain conviction. The raid in which the 50 persons were arrested and sent to the work house was said to have been operated by a woman who later had to leave town, when the heavy fines and loss of her writers forced her out of business. The one in which the 65 were arrested were released because of insufficient evidence for conviction was said to have been operated by one of the big four who enjoyed alleged police protection.

Deputy Inspector Martin J. Horrigan was summoned to appear before the grand jury, Wednesday. Benny Katz, 10721 Columbia Ave. was jailed late Tuesday evening for failure to answer questions put to him when called before prober. Echoes of further policy game disturbances were heard this week when Wm. Bryant, 36, of 2387 E. 40th St. went on trial in criminal court this week charged with first degree murder in connection with the killing of Mrs. Geraldine Johnson known as the "Policy Queen" and wife of "Hot Stuff" Jonnson.

Crime-1931

Oklahoma

CONVICT "BULLY" WHITE MAN WHO SHOT INNOCENT WOMAN

Defender

Charged

MUSKOGEE, Okla., Oct. 9.—One of the most bitterly contested cases ever held in Muskogee ended here Friday night when a jury convicted Charles Forister, Fondulac St. white merchant, of assault with a deadly weapon for shooting Mrs. Peggie Simms at her home Aug. 11. The case was heard before Judge Enloe V. Vernon in the district court here, and attracted large crowds throughout Friday. 10-10-31

Forister was represented by Judge Watkins, one of the most astute lawyers of the Southwest, while Earle B. Pierce, assistant county attorney, conducted the prosecution.

The state evidence proved that Forister had been a bully and had repeatedly threatened our people, particularly women. Some of the witnesses testified that Forister would enter their homes, drunk and brandishing a gun, claim himself to be "the law" and say it would do no good to report him.

He entered the home of Andy Simms while drunk when Simms was in the rear of his house, in the northern part of the city, and shot his wife, Mrs. Peggy Simms, twice and fired two shots at another man. Simms, on hearing the shots, ran to see what the trouble was, and encountered Forister, who drew his gun on Sims, saying as he did so: "I am the readiest —— that ever was and I mean to kill all you niggers."

Simms, being unarmed, ran to the corner of the house, where he dodged and hid behind the corner until Forister came along. Simms testified that he knocked Forister to the ground with a short uppercut to the jaw with his strong right fist and that Forister went one way while his pistol fell another. Simms seized the pistol and, waiting until Forister arose, gave him three or four hard raps across his head with his own gun.

The defendant's attorney tried to shake Simms in his cross-examination, but was unsuccessful. Pierce made a stirring plea for conviction.

Crime - 1931

Pennsylvania

SAY PHILLY COPS ARE BEATING UP MORE MEN

Afro-American

PHILADELPHIA—(GDT) — Judge Raymond MacNeille was forced to reprimand another group of policemen summoned before him last Thursday in Quarter Sessions Court to explain allegations that they had beaten a prisoner with a rubber hose to obtain a confession. He said that despite their denials the man was beaten "and those who did it are left to their consciences." 7-4-31

The accuser was George Winston, 38, of Meredith Street, who was convicted last Monday of illegal possession of liquor, operating a disorderly house and aggravated assault and battery on Police Captain Frank Riggs. Baltimore Md.

Beaten at Station

At his trial Winston said he had been taken to a room in the station house and beaten by policemen anxious to "get even" with him for having broken a bone in the captain's left hand when Riggs and policemen tried to force their way into his home to make a liquor raid.

"I think your story is very weak," the court told Policemen Cohen and Carroll who professed to have no knowledge of the affair. "It is odd that all you can remember is the isolated fact that Winston's eye was injured when he was brought into the station house."

WHITE COPS GET 8 YEARS FOR 3RD DEGREE

Afro American
10-17-31

NORRISTOWN, Pa. — A former assistant district attorney and two police officers, all white, were each sentenced to eight years in prison here last week after having been found guilty of using third degree methods upon William T. Campbell.

Campbell was arrested upon suspicion that he was the man who dynamited a house in Fort Washington, blinding another man, and charged that the officers beat him.

Those sentenced were: Ralph J. Rinalducci, former assistant district attorney; County Detective Joseph Trunk, and Chief of Police Brooks Cassidy, of Upper Dublin Township. The jury deliberated for more than two hours before Judge J. Ambler Williams pronounced sentence last Wednesday. Baltimore Md.

The defendants were found jointly and separately guilty on four counts, namely, conspiracy to commit aggravated assault and battery, conspiracy to imprison falsely and false imprisonment. The maximum penalty is two years on each count. The judge expressed his personal appreciation to the jury after pronouncing sentence.

Defense attorneys immediately asked for a new trial and were given the usual time in which to file a brief. Further arrests are expected as a bench warrant has been issued for John Bucci, state policeman of Jefferson Barracks, who is suspected of having participated in the beating. It was also pointed out that one of the defense witnesses may be charged with perjury.

Crime – 1931

South Carolina.

SOUTH CAROLINA LAW WORKS PECULIARLY IN MURDER CASE

LAURENS, S. C.,(ANP)—The murder case which has this entire region upset furnishes a striking example of the different way in which the same laws are applied to white and colored defendants.

About five weeks ago, W. C. Rasor, retired white banker, living at Cross Hill, was found murdered. He had been beaten and shot. A son, Jake Rasor, came to the house while the criminals were still there. One of them met him at the door and struck him unconscious.

Nearly two weeks later, two colored men, Isiah Richards and Lee Payne, were arrested and charged with the crime because the gun with which Rasor was alleged to have been killed was found in Richard's home. Richards and Payne were placed in the penitentiary for safekeeping.

Ten days afterward, Henry Crisp, son of the dead man, and Eugene and Lathan Crisp, white, and friends of the Rasor family, were arrested. One of the Crisp men was taken into custody in Atlanta. All three of them were then charged with the murder of the banker, with the son being the leader.

Saturday bonds of $2,500 each were accepted by the county clerk for each of these men and they were given their liberty. At a court hearing previously held, it had been brought out that Henry Rasor, accompanied by another white man, had obtained the gun with which his father was killed from the home of the colored man Richards.

It is five weeks since the crime was committed. Five men have been arrested and charged with the murder. Three of the men are white and most of the evidence points toward them. But the three white men are free to roam the streets.

Richards and Payne, neither of whom probably knows anything about the crime, are still being held in the penitentiary.

Believe It or Not, Acquitted of Murder Of a White Man

YORK, S. C.—Believe it or not, a Negro was acquitted of a charge of slaying a white man, for the first time in history, here last Wednesday.

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Crime - 1931

STAR

Shelby, N. C.

APR 25 1931

JUSTICE FOR A NEGRO

IT IS NOT DIFFICULT to find many people who will contend that incidents of miscarriage of justice are rare exceptions which should be given little attention. We often wonder if those who so contend do not at certain moments, when they become truthful with themselves, have a decreasing respect for certain types of justice. For instance, the type explained in the following Greensboro News editorial:

Recitation of an episode in the administration of justice as reported from South Carolina may not be entirely without interest for those who are prone to ruminate upon the idiosyncrasies of the blind goddess.

Last week Sam Bailey, negro, tipped off four members of the Palmetto legislature that he knew where a bottle of "bonded" whisky which might be obtained for $6. Four gullible lawmakers contributed to the pot and sent Sam on his way to secure that with which they hoped to quench their thirst. When Sam failed to return, however the legislators reported their deficit to the police and its creator was immediately brought to the bar of justice.

The outcome of the transaction, or rather its failure to materialize as promised, was that Sam received an alternate sentence of paying a $400 fine or spending four months in jail. The names of the legislators were not even mentioned in court, although it cannot be that the negro was convicted on anonymous testimony or that South Carolina authorities are stocked with exclusive protection for legislators who take time off from their lawmaking duties to violate the prohibition or other laws during their sojourn at Columbia.

And so it runs. A negro who gave a quartet of legislators the medicine which their gullibility deserved goes to the roads, while those whose eagerness to break the statute were responsible for his plight shielded from the public eye, return to their lawmaking with little or no thought of the dangers which their hypocrisy breeds. Granting that justice is blind, a woman's intuition should cause her to bite her lips in disavowal of the cardinal principles for which she is at least supposed to stand.

COUNTY JAIL NOW FREE OF NEGROES

More Whites Than Blacks Arrested in County—20 White in Jail Now.

For the first time in several months the negro department of the Anderson county jail is empty, according to Julian Clamp, jailer. The last negro was taken out yesterday to be tried in criminal court here and subsequently sent to the chaingang.

However, the department for whites is still crowded above capacity, it was announced. There are 20 whites still incarcerated of which three are women.

Officers point out that the number of arrests made of white people far exceed negroes arrested. Violation of the prohibition laws is the offense that lands the greatest number behind the bars, it was pointed out.

However, officers say that the whites lead negroes in thefts. Many negroes are caught in minor stealing cases, but white people commit most of the robberies and storebreakings as well as handling the most whiskey, it is said.

The S. C. Piedmont
June 1, 1931

An Execution's Reaction

Throughout the state—and to the credit of the state—has come a reaction from the electrocution of Norman Blakely, negro youth from this county.

Although Blakely was but sixteen years of age when he took a life the general opinion appears to prevail that legal justice was meted out to him. But the general opinion also prevails that it was by no means justice as considered in relation to other murder cases; if Blakely should have paid with his life, it is reasoned, how many others should have discharged the same debt?

Blakely was black and penniless. He was not, as has been said, friendless; numbers of individuals volunteered an interest in his case. He was not, as this newspaper inadvertently gave the impression, lawyerless; he had no means with which to retain counsel but good lawyers, at the sacrifice of their own money and time, fought his legal battle for him not merely in the beginning but to the end.

But he was a negro, young, none too bright and as broke as the proverbial convict that he was. In those circumstances the justice that the law contemplates for all guilty of his crime was the justice received by him.

Has that justice been meted out in the state of South Carolina to all individuals, white and colored, rich and poor, who have been as guilty as Blakely was?

That is the question. That is the thought that has brought, as indicated by press and general comment, a reaction over the state.

God grant that the raising of the question will not be without value to the cause of justice in a state in which that cause is deserving of greater public attention through improved public conscience.

Observer
June 2, 1931

JUSTICE FOR BOTH.

The way in which South Carolina juries are electrocuting negroes for murder and "recommending to mercy" white murderers of the basest and most atrocious stamp is assuming the character of a public reproach. Did the recent overwhelming vote of the legislature against the abolition of capital punishment and the too common practice of juries in recommending to mercy, or finding guilty merely of manslaughter white murderers of the blackest guilt, indicate an intention of retaining the extreme penalty to be used for the blacks, with the expectation that the jury might be depended upon to save from its infliction the white criminals whose deeds are blacker than any African's skin?

Not only essential justice, but the public safety, demands the extreme penalty for the white criminal more strongly than for the African. The caucasian criminal is far the greater menace to society.

WHAT IS HAPPENING

To those who think about the matter at all, the increasing volume of crime among whites and the decreasing average age of white offenders gives much concern, especially when in marked contrast with it there is a decrease

THE LAW'S TRIUMPH

There is something pathetic and revolting about the electrocution of a Negro boy in Columbia this week. He had the mind of a child, He was a child. But he killed a man, a white man, and that is against the civil law, the moral law, and the racial law. We permit murder in this state. Men kill each other by the hundreds every year, but only in isolated instances, eight or ten times a year, does the law come down in full force, a ghastly triumph. And it looks like the extreme penalty nearly always falls on the poor, the weak, the friendless. It ought to be different, but such is the expression of our citizenship. — Greer Citizen.

Some time or other the white people of this state will wake up and protect themselves by punishing white criminals as surely and severely as black.

of crime among Negroes. Much is being said, written and printed about the matter. Opinions vary somewhat as to the cause, but in the main it is ascribed to a breaking down of discipline in the homes of white people.

One reason for that is that so many comic strips and pages depend for a laugh, if they get any, on disrespect of children for parents. Children brought up on a diet of that stuff are bound to react to it by a lessened respect for their parents.

Then, too, many mothers are so busy these days with bridge parties, club activities and attending movies that they do not have the time for raising their children that mothers of a generation or two back devoted to that most important of all their duties. The automobile has contributed largely. It has lessened staying at home of both parents and children.

Some children recently were running wild at a party. They wantonly commenced destroying property. An old man gently chided them, and kindly asked them to stop. They scraped up filth and threw at him. He did not get angry with the children. He did not think they were to blame. He realized that a stream cannot rise higher than its source. A mother of some of the children excused their conduct to the old man by saying that children would be children. He admitted that, but added: "If I had wantonly destroyed property or shown disrespect to my elders, when I was a little boy, I would not have enjoyed sitting down to my meals for some little time. I would have been taught a lesson that would have made me respect the property of others and my elders."

Charleston, S. C., News & Courier
Saturday, June 27, 1931

BEAUFORT COURT ENDS

Four Murder Cases Involving Negroes Are Tried

Beaufort, June 26.—Special: The June term of criminal court adjourned sine die Wednesday, after being in session since Monday. Four murder cases were tried, all of them involving negroes. There was a mistrial in the case of Christopher Bennett for murder. Virginia Bentley, Daufuski island negro woman, received a life sentence after a mistrial at the last term of court. She was charged with murdering an aged woman, with whom she lived, for thirty dollars worth of life insurance. James Brown, tried for murder, was found guilty of manslaughter and given two years. Israel Small, tried for murder, was found not guilty by direction of the court.

There were twelve cases involving violation of the prohibition law, of which there were seven convictions, as follows: Nancy Mitchell, two charges, in both of which she received a six month's sentence with four months suspended upon terms; Benj. Bryson, three months with part of the time suspended; Freddie Albergotti, one year with eight months suspended upon terms; Ben Beaubian, six months with four suspended upon terms; George Jenkins, 60 days or $100, part of which was suspended; Henry Bryan, one year with eight months suspended upon terms.

The cases against Sammy Williams, Adam Brown, Neil Albergotti, Henry Williams, Susanna Gadson for violation of the prohibition law were all continued.

Willie Goss, charged with assault and battery with intent to kill and carrying concealed weapons, was found guilty o f assault and battery of a high and aggravated nature and given one year. James Frazier was found guilty of assault and battery larceny on two counts and received a year for each. Jessie Green was found guilty of assault and battery of a high and aggravated nature and given four months, Paul Cuthbert received an eighteen months sentence with six of them suspended on a charge of receiving stolen goods. J. D. Cuthbert received thirty days on the same charge.

J. Lee Corley, charged with assault with intent to kill, was found guilty of simple assault and given a thirty day sentence. George Zant was found guilty of assault and battery with intent to kill, given two months or a $100 fine.

The case of assault and battery against M. M. Reeves was continued as were also the rape case against Richard Bee and that against Grover Smoak charging violation of Act 672 of the Acts of 1928.

Spartanburg Journal
Friday, [illegible] 1931

Six Negroes, Arrested Here, Found to Have Long Records

Known by Police in Many Cities and Have Imposing Histories in Federal Books.

Investigation by Chief of Detectives Jimmy Haynes and Assistant Chief D. W. Thomas of the past activities of six negroes, all of whom were arrested the latter part of June, four for hoboing and two for grand larceny, today revealed that all of the defendants are known by the police authorities in several Southern and Eastern cities, and have a string of "aliases."

Calvin Richardson and LeRoy Baker, arrested by Chief Haynes on June 16 charged with grand larceny in the theft of $48 and a wrist watch from Flora Powell, negress, and who are now in the county jail pending trial, were found to have served sentences in several cities, according to information furnished the Spartanburg detective chief by the United States Department of Justice.

Will Russell, Walter Thomas Sam Green, and John Williams who were arrested on June 26 by officers for vagrancy all of whom at the preliminary hearing protested that they were looking for work, were found to be operating the "flim-flam," or old pocketbook game, in various cities, according to records furnished by the department of justice and police authorities in several cities.

Take Fingerprints.

Following the arrest of all of the negroes, Chief of Detectives Haynes, having suspicions that they were wanted on other charges by police in other cities, set out to get their records from various sources, first taking their fingerprints and dispatching them to Washington.

Calvin Richardson, now in the county jail, was found to have been operating for many months under the aliases of Albert Jones, Clarence Robinson and Charles Richardson. The department of justice record revealed that Richardson was arrested in Miami, Fla., March 30, 1926, charged with carrying concealed weapons; arrested in Charleston on June 21, 1929, on a vagrancy charge, and given 30 days; arrested in Jacksonville on June 28, 1930 for vagrancy and given 30 days; arrested December 16, 1922 in Jacksonville on a vagrancy charge; arrested May 1, 1923 in Jacksonville, for carrying concealed weapons and fined $100; arrested July 11, 1925, in Jacksonville, for disorderly conduct and fined $25; arrested December 20, 1926, in Jacksonville, for suspicion and vagrancy, and given 30 days; arrested September 16, 1928, in Jacksonville, for vagrancy, and given 30 days, and again on November 7, 1928, in Jacksonville, for vagrancy, and given another 30-day sentence.

All total, not counting the fines imposed on Richardson, the defendant has been sentenced and served 170 days in Jacksonville alone for his offenses. It will be seen that practically all of his offenses have been committed in Jacksonville.

LeRoy Baker, his partner in the larceny charge, according to the department of justice records, was arrested in Birmingham, Ala., March 28, 1925 for a charge of vagrancy and given 10 days; arrested again on April 15 in Birmingham as a suspect and held for investigation; arrested in Atlanta on August 7, 1930, on a charge of flim-flaming and sentenced to 10 months.

Sentenced Today.

As regards the quartet arrested on June 26, and who today were sentenced by Recorder Bobo Burnett to pay fines of $25 each or serve 20 days, allowing for the week they have already served in jail, the department of justice records show, as well as Atlanta and Charleston records, the following:

Will Russell, alias Joseph Burnett, alias Joe Burnett, was arrested in Toledo, Ohio, in 1920 for flim-flaming, and arrested again on the same charge in Atlanta in 1928.

Walter Thomas, alias William McCune, was arrested in Louisville, Ky., in 1925 on a charge of vagrancy.

Sam Green, who evidently has given his straight name, was arrested in Louisville, Ky., in 1925 on a charge of vagrancy.

John Williams has no past record, but is believed to be wanted by Atlanta authorities for skipping a bond. Two Atlanta officers questioned Williams here Thursday afternoon, it was said.

It will be seen that Green and Thomas were both arrested at the same time in Louisville on vagrancy charges, yet they protested at the preliminary hearing that they had never seen each other until they met up in Spartanburg.

Chief of Police John H. Hill highly commended the detective chief and Assistant Chief Thomas for their work on these cases, and in bringing to light their past records.

WHITE SLAYERS BONDED; NEGRO SUSPECT HELD

NOV 12 1931

Striking Example of 'Double Justice' Seen in S. C.

Atlanta,

LAURENS, S. C., Nov., 11—(ANP)—A murder case which has this entire region upset furnishes a striking example of the different way in which the same laws are applied to white defendants and colored defendants.

About five weeks ago, W. C. Rasor, retired white banker living at Cross Hill was found murdered. He had been beaten and shot. A son, Jake Rasor, came to the house while the criminals were still there. One of them met him at the door and struck him unconscious.

Nearly two weeks later, two colored men, Isaiah Richards and Lee Payne were arrested and charged with the crime because the gun with which Rasor was alleged to have killed was found in Richards's home. Richards and Payne were placed in the penitentiary for safekeeping.

Ten days afterward, Henry Crisp son of the dead man, and Eugene and Lathan Crisp, white, and friends of the Rasor family, were arrested. One of the Crisp men was taken into custody in Atlanta. All three of them were then charged with the murder of the banker, with the son being the leader.

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It is five weeks since the crime was committed. Five men have been arrested and charged with the murder. Three of the men are white and most of the evidence points toward them. But the three white men are free to roam the streets.

Richards and Payne, neither of whom probably knows anything about the crime are still being held in the penitentiary.

Crime – 1931.

Westminster, S. C. Tribune
Tuesday, January 20, 1931

MORE NEGROES THAN WHITES IN JAIL

"For the first time during the past six years," said Jailer Jule Clamp today, "there are more negro prisoners in the Anderson county jail than white persons. This morning we have seven white prisoners, and nine negroes. As a general rule the whites outnumber the negroes almost two to one, making the present condition most extraordinary. On one occasion since we have been here, the jail was entirely without negro prisoners, although we have always had a supply of white men on hand."—Anderson Mail.

Crowded Condition at Penitentiary Sets Record, Makes Riot Time Ripe

Many New Prisoners Have to Sleep on Floor of Cell Block as All Beds Occupied—Pearman to Send Negroes to Farms—Appeals to Legislature for Relief.

Crowded conditions at the South Carolina penitentiary here have become so acute, forcing new prisoners to sleep on the hard floors with only blankets for protection and making the time ripe for rebellion or trouble, that J. N. Pearman, the superintendent, plans this week to go before the ways and means committee of the house and beg relief.

Never before have the penitentiary facilities been so stretched to care for prisoners—873 of them and 14 safekeepers. All but about 170 of these are at the penitentiary in Columbia while the others are on the two penal farms in Kershaw and Sumter counties.

"The worst of the whole thing," Colonel Pearman said, "is that the terms of court are just getting started. The prospect of receiving more prisoners this spring is discouraging, to say the least."

Prisoners, about 70 of them, from Spartanburg and Charleston counties, were the straws that broke the record last week. Charleston county abolished chaingangs, sending about 40 Negro men to the penitentiary. A term of court has just ended in Spartanburg and a large delegation, many of its members being white men, was sent to the Columbia institution. Prisoners from other counties swelled the total.

"We are buying beds as fast as practicable," the superintendent remarked. "We have doubled up the men in the cells, put more in the hospital and still we have some left who have to sleep on blankets in the corridors of the cell block building."

He will send a group of Negro prisoners to the farms this week but will have to purchase additional equipment before they will have places to sleep.

The 14 safekeepers, including the six Lexington county Negroes who are to die in the electric chair February 27, are much bother. They require more attention than the other prisoners and have to have their meals served and special guards to watch them. As soon as February 7 comes along, the six Negroes from Lexington will be placed in the death house but the law prohibits placing them there until 20 days before the execution.

There is no congestion among the woman prisoners although the total number of women in the prison is comparatively high, Colonel Pearman said.

Little thought to safety can be given in the placing of the prisoners in the cell block, the superintendent said, as they must be given places where there is room. Instead of keeping the six condemned Lexington men together in one section of the block house where smaller numbers of guards can watch over them, it has been necessary to scatter them about through the five-tier building.

Penitentiary's death house will be filled to capacity February 7 when the men are moved to their solitary cells. There are places for only six prisoners in the death house, room for the six cells, the electric chair and a small entrance way.

With the talk of budget cuts and slices in the appropriations, Colonel Pearman is none too optimistic over the outcome of his appeal to the legislature for relief. He plans to ask for help, however, this week, as it is the only solution to the problem.

South Carolina

Sumter, S. C. Herald
Thursday, February 26, 1931

COLUMBIANS ACT TO SAVE NEGROES

Eleventh-hour Appeal to Chief Justice Blease Will Be Made

Columbia, Feb. 24.—An eleventh hour appeal to Chief Justice Eugene S. Blease to authorize a new trial for the six negroes in the penitentiary death house under sentence to die Friday is planned by a number of prominent Columbians on the ground that the negroes were tried and condemned in an atmosphere charged with prejudice.

C. E. King, Columbia attorney, who acted as defense counsel in the spectacular Bigham case at Florence, is voluntarily associated with the group as its attorney. Prominent clergymen and college professors are included among those actively affiliated in seeking a new trial for the six negroes, who were arrested and sentenced within three weeks after the crimes.

Troops with fixed bayonets were necessary to assure order in the Lexington county court room where the trials were conducted before Judge M. M. Mann, members of the "clemency clique" pointed out tonight. Repeated reports of a lynching mob were responsible for their presence.

Counsel Appointed

Two Lexington attorneys were appointed by the court when it became evident that the negroes could not employ counsel in their defense. The seekers of a new trial declared that these men performed their duties perfunctorily at best, and sought no change of venue despite the critical sentiment against the negroes.

Five of the men formed the party which went to rob the store of B. W. Hendrix near Lexington January 6. Ackwright, one of the band, shot down Hendrix. Tillman Poozer, the sixth negro, hacked to death Watchman C. D. Mills at Cayce January 3.

Attorney King and members of the citizens', group, whose identity was not made public tonight, plan to appear before Chief Justice Blease at Chambers tomorrow, possibly at his home in Newberry.

Governor Blackwood took no action today on the petition of R. C. Bethel, Richmond, Va., attorney on behalf of Eldridge, one of the Hendrix slayers, whose slow recovery from an attack of meninigitis may compel postponement of the electrocutions for spectators' sakes, even if the supreme court justice takes no action.

Protest Race Women Laboring

Carried 2-21-31

CHERAW, S. C., Feb. 19—Three colored women arrested here last week on a charge of disorderly conduct were tried in Mayor R. A. Rouse's court and fined $25.

The women, being unable to raise the fine, were sentenced to work on the streets during very cold weather. The sight of the same aroused the indignation of all respectable citizens. They rose up in a protest, not because they thought the prisoners should not be punished, but because of the sentence being inhuman.

No white woman has ever worked in the streets, although they have been sentenced and were fined under the same conditions.

The women are now serving their sentences at less inhuman tasks.

Spartanburg, S. C., Herald
Monday, February 9, 1931

Will Die February 27 For Two Murders In Lexington.

Columbia, Feb. 8 (AP).—Before most newspaper readers awake tomorrow morning six negroes will enter the death house at the South Carolina penitentiary here, scheduled to die Feb. 27 for two murders in Lexington county this year.

Five were convicted of complicity in the murder of B. W. Hendrix, Lexington county country storekeeper. The other admitted the axe slaying of C. D. Mills, night watchman at a lumber yard in Cayce, Columbia suburb across the Congaree river.

Those sentenced to be electrocuted in the Hendrix slaying are George Byrd, whose confession led to the arrest of four others; Ernest Thomas, James Hickman, Robert Eldredge and John Ackwright, alias Lindsey Cantrell. Tillman Poozer dies for the Mills killing.

Penitentiary guards of long standing say that it is the first time in their knowledge that six condemned men have filled the death house to capacity at one time.

Should the law not interfere and the six die on the same day, it will set a record for electrocutions in one day in South Carolina. The previous largest number is five.

James R. Cain, state bacteriologist, said today it would be tomorrow (Wednesday) morning before throat cultures taken from the six negroes would reveal if germs still lurked in their system.

SIX SOUTH CAROLINA NEGROES EXECUTED

Constitution
2-28-31.

Group Put to Death for Murder of Two White

Atlanta, Mexico.

COLUMBIA, S. C., Feb. 27.—(AP)—Six negroes were electrocuted in the South Carolina penitentiary early today for the murder of two Lexington county white men.

They went to their deaths calmly and with prayers on their lips.

Almost two hours were required for the executions, each of which was watched by 16 persons in addition to newspapermen, physicians and penitentiary officials.

Tillman Poozer died as the confessed murderer of C. D. Mills, Cayce night watchman, who was slain in a brutal ax murder. The motive was robbery.

The other five, Robert "Greasy" Eldredge, Lindsey Cantrell, alias John Arckwright; James "Snoow" Hickman, George Bird and Ernest "Tee" Thomason were convicted of murder of B. W. Hendrix, Lexington county merchant, who was shot in an attempted holdup. Cantrell admitted firing the bullet that killed Hendrix. Four of the five men were arrested in Bluefield, W. Va., where they had fled.

The electrocution of six men at one time sets a record in South Carolina, the greatest number previously being five in 1916.

Four women were admitted as spectators.

One of them was the widow of Hendrix. She showed no emotion as Cantrell, her husband's slayer, died.

Two others, daughters of Mills, saw their father's slayer electrocuted. They were Mrs. D. J. Vargeson and Mrs. [illegible] Nason, both of Columbia.

WHITES OPPOSE DEATH OF SIX FOR 1 MURDER

Chicago Defender

COLUMBIA, S. C., Feb. 24.—ANP—An effort was made by E. C. L. Adams, promiment citizen here, to arouse public sentiment against the scheduled execution of six men here for the murder of one white man, in na statement published in the South Carolina State, one of the

leading journals of the South. Mr. Adams' statement in part was as follows:

"Before the execution of the six Negroes now in the death house for the murder of Mr. Hendrix takes place, I would like to raise my voice in protest. It seems to me that these men should not have been tried in an atmosphere surcharged with prejudice and excitement. Would it not have been difficult for reason and calm judgment to have prevailed. Would it not have been better for them to have been tried in another county? Isn't it possible, yes even probable, that a mistake may be made in giving them all the extreme penalty.

NEGRO MINISTERS TO ASK FOR MERCY

For Five Men Scheduled to Be Electrocuted Friday.

GO TO BLACKWOOD

Will Hold Conference With Governor at Noon—Unable to See Him Yesterday.

Five Negro ministers, members of a committee appointed by the Interdenomination Ministers' union of Columbia, waited a half hour in the corridors of the State House yesterday afternoon for opportunity to go before Governor Blackwood and make appeal for a reprieve for the five Negroes now in the death house of the state penitentiary who are to be electrocuted Friday for the murder of B. W. Hendrix, Lexington county store keepr.

The committee was unable to see the governor due to the fact that he was engaged with conferences previously scheduled. The members waited until it was evident that the chief executive would not conclude his scheduled appointments until after nightfall and then they left the State House. They plan to visit the governor today at noon.

Members of the committee: Dr. D. H. Sims, president of Allen university; the Rev. R. S. Lawrence, pastor of Bethel A. M. E. church; the Rev. T. M. Boykin, pastor Sidney Park C. M. E. church; the Rev. Paul P. Watson, state misisonary for the Colored Baptists of South Carolina.

Stand for Law.

"We stand for law and order," the Rev. Mr. Watson said to newspaper men when asked about the purpose of the call on the governor, "but we feel that the men in the death house have had little opportunity for spiritual counsel.

"We feel too that there may be room for discrimination in the cases of the five men. It is possible that some are more guilty than others.

"We are going to ask the governor for mercy in so far as he can see his way clear to grant it. The cases have some aspects which we wish to present to the governor but we want it kept clear that we are on the side of law and order."

Payne Reports Today.

Dr. P. Eugene Payne, physician at the state penitentiary, will make a report today to Governor Blackwood on the results of the throat cultures taken yesterday morning.

"After I have received Doctor Payne's report, I'll have a statement to make," Governor Blackwood said yesterday.

The cultures are to determine whether or not Eldridge, one of the prisoners in the death house, is still a host to the meningitis germs and whether the others have contracted the malady.

The law requires that 24 witnesses be present at each of the executions and every precaution is to be taken against infection of any of the witnesses.

RECORD
COLUMBIA, S. C.

MAR 8 1931

LIFE SENTENCE IMPOSED UPON SLAYER OF TWO

Clyde Hawthorne Brought to Columbia on Threat of Lynching

KILLING WAS WEEK AGO

At Hot Supper, Where Julian Pennell, White, Was On-Looker

(Special to The Record)

ANDERSON, S. C., Feb. 7.—A verdict of guilty with recommendation of mercy, which carries a life sentence, was returned here Saturday afternoon at 5 o'clock against Clyde Hawthorne, 30-year-old negro who was charged with the fatal shooting of Julian Pennell, 25, white and George Anderson, negro. The jury was out about two hours.

The killings occurred late last Saturday night in the Mount Bethel section while the negroes were celebrating with a "hot supper."

The young white man and his brother, Garvin Pennell, were returning from a dance when they came upon the house where the party was in progress. They decided to step over to the cabin and watch the excitement. Just as they went into the yard and approached the house, the shooting began.

The Shooting.

Young Pennell was shot four times in the chest. Hawthorne was shooting wildly, and another shot killed Anderson, first ploughing through the neck of another negro.

That the shooting came without warning was indicated by the position of the bodies, it was pointed out.

Hawthorne, on the stand Saturday, while he was being tried in sessions court here for murder, said the shooting occurred after he had been hit by an unknown assailant when he stepped from the door of the house. Someone in the crowd yelled "There he goes, kill him," said Hawthorne, and thinking the crowd meant him, he returned and began firing, he said. He denied he knew who had been killed or that he was shooting at any particular person.

Four were held as witneses. They were: J. C. Taylor, Jim Bruno, Ray McGowan and Oscar Taylor.

When arraigned, Hawthorne plead not guilty. Three attorneys were appointed to defend him, J. O. Havird, Dean Pearman and Leon L Rice.

Brought Here.

Threats that lynch law would be executed on Clyde Hawthorne, negro convicted in Anderson court yesterday afternoon of killing a white man and another negro, spurred Sheriff W. A. Clamp to place Hawthorne in a car and sped with him to the state penitentiary at Columbia, where he was jailed about 6 o'clock last night.

Reports that Hawthorne's life would be taken by a mob reached the Anderson jail, officials stated, after the jury verdict of "guilty with recommendation to mercy" sentenced the negro to life imprisonment instead of the electric chair.

Col. J. N. Pearman, penitentiary superintendent, stated Sheriff Clamp told him Hawthorne was moved to avert any efforts at lynching him.

WACO, TEX.
NEWS-TRIBUNE

MAR 4 - 1931

Six negroes died in the electric chair in South Carolina. "No move was made to stop the electrocution of the six." They were convicted of high crimes. When a negro is convicted of a high crime in South Carolina it is a waste of time to think of a move to stop his electrocution. There is no sentiment in South Carolina against capital punishment. There is a sentiment in Texas but it is not sufficiently powerful and far-reaching to inaugurate a successful legislative drive.

LAREDO, TEX.
TIMES

MAR 8 1931

SIX NEROES DIE IN THE CHAIR

SIX negroes died in the electric chair in South Carolina. "No move was made to stop the electrocution of the six." They were convicted of high crimes. When a negro is convicted of a high crime in South Carolina it is a waste of time to think of a move to stop his electrocution. There is no sentiment in South Carolina against capital punishment. There is a sentiment in Texas but it is not sufficiently powerful and far-reaching to inaugurate a successful legislative drive.

HOUSE IN FAVOR DEATH PENALTY

Will Not Abolish Capital Punishment.

FOR SECOND TIME

Measure Goes to Defeat by Large Vote—School Measure Under Discussion.

For the second time this session, the house of representatives last night again expressed its disapproval of any plan to abolish the death penalty in South Carolina. Once before this year the house killed such a bill. It was reintroduced and last night, by a vote of 73 to 13, was again sent to its death.

Debate on the measure held the attention of the house for some time. Proponents of the bill to abolish the death penalty and to substitute life imprisonment therefor contended that the death penalty was not a deterrent to crime and that, when mistakes are made, there is no way of rectifying them. Opponents of the bill held that to abolish capital punishment would result in increase of crime, in lynchings and in general lawlessness.

A. L. Gaston, Chester, spoke against the bill, replying to the argument advanced by proponents, that capital punishment was unAmerican by saying laws were modeled after English laws and that capital punishment had not been abolished in that country. He claimed the law was a recognized necessity in civilized countries.

C. A. Taylor, Spartanburg, spoke vigorously for the abolition of capital punishment as did H. C. Godfrey, also of Spartanburg. "Every man who votes against this bill is taking a chance I wouldn't take for $10,000," Mr. Taylor declared as he said responsibility for the death penalty rested on the lawmakers.

Taylor told members, "If you vote against the bill you are helping to throw the switch on that damnable machine at the penitentiary (the electric chair)." He said capital punishment "is a law not from the wisdom of the ages but from the ignorance of the ages."

"Your wives and your daughters in the country will not be safe if the bill is passed," Aycock asserted. "Raping and murder will run rampant in our state. . . .the rural districts are doomed. You would have lynching upon lynching."

Godfrey said "Only the extremely poor and Negroes are put to death in the electric chair."

The enacting words of the bill were stricken out.

Debate was in progress of a bill to place state aid for school transportation back on the "save a teacher" basis as it was up until 1930, when adjournment was taken.

J. P. Anderson, Abbeville, spoke for the bill, saying it would prevent the re-establishment of one and two-teacher schools. It puts the transportation matter back on the plan in use prior to the law passed last year when the definite amount of $350,000 annually was allowed for the work.

Henry Buist, Charleston, was making an attack on the measure when debate was adjourned, the house likewise adjourning.

Tuesday, April 28, 1931

Chair for Negroes and Poor Whites.

Chester Reporter: "Only the extremely poor and negroes are put to death in the electric chair in South Carolina," was the indictment delivered upon the floor of the house of representatives last week by Mr. Godfrey of Spartanburg during the course of the debate on the bill providing for the abolishment of capital punishment. Whether agreeing with Mr. Godfrey or not in wanting to abolish the supreme penalty, South Carolinians of all shades of thinking will be just about forced to admit that he is correct in his statement as to what classes of the population are electrocuted in South Carolina.

Crime-1931

2 NEGROES GET LIFE FOR STICKUP KILLING

Guilty Pleas Entered for Mrs. Maggie Evans' Death.

More than a year after the robbery in which Mrs. Maggie Evans, 62, of 266 West Trigg Avenue, was fatally wounded, Johnnie Hankins and Charlie McMillon, negroes, pleaded guilty to first degree murder before Judge Harsh yesterday and were sentenced to life in the penitentiary.

General McLain announced he was more than satisfied with the compromise sentence, for the negroes might have found an excuse for a lighter jury sentence in that Henry Davis, third member of the gang, died in the county jail after being shot by police. The defense probably would have been that Davis was responsible for the fatal shooting.

Mrs. Evans, busily engaged in her restaurant, looked up to see the three negroes enter on April 27, 1930. She screamed, was shot and all three negroes fled. Davis later was shot in the leg, and died in jail awaiting trial.

Hankins and McMillon pleaded guilty on robbery charges and were given a sentence of 15 years. They were taken to the penitentiary. When Mrs. Evans died of her wound last December, the negroes immediately were indicted for first degree murder, returned from the penitentiary three weeks ago, and placed on trial yesterday.

James Murphy, burglar, who broke into the home of Tony Curcio, 1095 Palermo Avenue, and lost his left eye when Mr. Curcio flung a knife at him, was sentenced to 10 years for housebreaking and larceny. Isiah Johnson drew three years on a like charge, pleading guilty to robbing the home of Peyton McCluster, living on the E. W. Hale plantation at Whitehaven, of $13.

Ejected from a loop hotel and indicted for beating a board bill, Harry N. Strait took up lodging at the county penal farm when he was given 30 days on his plea of guilty. Strait ran up a $10.18 food bill.

L. Hacker, who borrowed a wrist watch owned by his former girl friend, Kathryn Jarvis, 95 South Main, and failed to return it, drew 30 days for fraudulent breach of trust.

Tennessee House Votes To Abolish Whippings

NASHVILLE, TENN., June 27.—(AP)—A bill to "abolish the lash" in penal institutions of the State was passed by the Tennessee House of Representatives today. The vote was 62 to 13.

Representative W. Y. Boswell, of Morgan, author of the measure, told the House that conditions at the State Penitentiary at Nashville were in need of correction.

"One method of punishment," he said, "is to handcuff women and hang them to pegs on the wall."

The bill, as originally amended, limited whippings to five lashes, but another amendment by Canale, of Shelby, removed whipping entirely as a punishment for disobedience.

R. M. Murray, of Carroll, told of visiting the prison once and hearing women "moaning and crying." He said he found two girls swinging from pegs to the wall, with their feet "barely touching the floor." He said they were being punished for fighting.

CONVICT NEGROES WHO TOSSED BOY TO DEATH

Four Prisoners Given 10 Years As Penalty.

COVINGTON, Tenn., July 23.—Four negroes on trial for thowing Lloyd Alston, 19, of Centerville, to his death from a moving freight train near here last Aug. 14, were convicted of second degree murder here today and the jury fixed the penalty at 10 years servitude in state prison.

The negroes are Joe Cunningham, Lewis Lyons, Thomas Tippett and William Harrison.

The principal state witness was Ernest George, 20, companion of Alston, who was robbed, beaten and also thrown off the train at the same time, but lived to tell the story.

George testified that the negroes attacked and robbed him of $28 in the box car and that he remembered nothing more until about midnight when awakened as he lay near the railroad tracks at the oil mill. Alston's body was later found further down the I. C. right-of-way. George claimed it was about 4 o'clock in the afternoon when he was robbed.

The men all boarded the freight car in Memphis, the negroes getting on after the two boys entered.

The negroes, who were arrested in Chattanooga on Aug. 18, claimed they were not in the car with Alston and George.

NEGRO IS CHARGED WITH TRAIN WRECK

Leslie Green, Keeling Farmer, Jailed In Fatal L. & N. Crash.

PRELIMINARY MONDAY

Special Agent Jesse Harlan, Heading Investigation, Says Others Are Sought In Derailing of PanAmerican Sunday.

A negro farmer living a quarter-mile from the scene of the wreck Sunday night of the Pan-American, fast L. & N. train which caused the death of Fireman Richard Crawford, injury to seven others and property loss of thousands of dollars, was jailed at Covington yesterday at 11 a.m. charged with conspiracy to wreck the train.

He is Leslie Green of Keeling and Tipton County officials said he was seen near the tracks before the wreck. Beyond stating that Leslie's brother, George Green, had been discharged by the company, about a year ago, Divisional Special Agent Jesse Harlan would not divulge the evidence against him, however.

Preliminary Hearing Monday.

Green is to receive a preliminary hearing before Squire C. T. Poindexter at Mason at 2 p.m. Monday. In jail at Covington last night, he denied being on the tracks Sunday night and swore that he had nothing to do with the wreck.

"More arrests will be made soon," said Mr. Harlan. "The spikes could not have been pulled up and the section of rail planted in the ground by one man."

Green was arrested by Special Agents Jesse and M. D. Harlan and Deputy Sheriff S. L. Delaney of Tipton County.

Jesse Harlan, division special agent, has worked tirelessly on the case since early Monday morning with a double incentive, his loyalty to the railway company, and his desire to find the man who caused his family's friend, Miss Elizabeth Pillow, telephone company supervisor, to be injured.

Miss Pillow, who is still in St. Joseph's Hospital, has been a roomer at the Harlan home for the past three years. She was returning to Memphis after a week-end up-state when the Pan-American was derailed.

Mr. Harlan said that he was confident he had the right man.

The Pan-American was wrecked at 9:10 p.m. Sunday at Keeling, 43 miles northeast of Memphis. The locomotive left the rails, plunged down an embankment and turned over. Fireman Crawford, severely scalded, died the next day at Methodist Hospital.

Spikes Had Been Removed.

Engineer P. J. Fox, veteran of 30 years' service at the throttle, clung to the side of his cab and escaped by a miracle with only a flesh wound in the abdomen. Seven other passengers and members of the train crew were hurt, none very seriously, however.

Investigation showed that a section of rail had been driven into the ground near the track and spikes had been pulled up from a number of the rails and thrown aside, and other spikes had been partly pulled up.

NAMED AS BEATER, PATROLMAN FIRED

J. E. Barnes Dropped "for Good of Service," Commissioner Davis Says.

Following conviction by a trial board on charges of brutality, Patrolman J. E. Barnes was dropped from the police department yesterday by Commissioner Davis. This action was "for the good of the service," said the commissioner.

Barnes, a patrolman for the past three years and formerly employed by the Frisco Railroad, was accused of having beaten two negro boys and a negro woman on separate occasions. The case was prosecuted by Tom Collier, representing the plaintiffs and the Property Owners' Protective League. Members of the trial board were Inspector Mike Kehoe, Capt. Lee Boyles, and Capt. Joe Hewitt. Barnes had been under suspension since the trial.

All of the negroes involved were from "Court Street Bottoms." One, Oscar Maclin, a 16-year-old boy of 240 North Dunlap, testified that he was aroused from bed, taken to the curb market on Madison and Dunlap, and handcuffed to a post. The negro said he was then severely beaten by Barnes, in an effort to force confession of a minor theft. He exhibited welts and bruises to support his testimony.

Barnes denied beating the boy, but said he tied him to a post for 15 minutes. A witness, N. T. West, 807 Court, said he could not swear that blows were struck, as the officer might have been gestulating up and down with his arms.

Hattie Johnson, 659 Court, was another who charged that she was beaten by Barnes. John Blanchard, 17-year-old negro of 253 North Dunlap, testified that he was handcuffed by the patrolman and then beaten with a night stick.

The case attracted interest when Attorney Collier declared that he was forced to protect his witnesses from police intimidation.

This was not Barnes' first suspension. In July of 1930, he was charged with slapping R. W. Farmer, a University of Tennessee medical student, who said that he was ill at the time he was struck, and that the blow was for no reason. Barnes was suspended but later was reinstated.

Crime - 1931

Tennessee

Officer Held Under $1,000 Bond For Shooting Unoffending Negro

East Tennessee News 8-24-31

Preliminary hearing for Howard N. Huskey, member of the local police force, on a felonious assault charge was held before 'Squire Arthur Wells Tuesday morning and resulted in the officer being bound to criminal court under a $1,000 bond.

Knoxville News

The charge against the policeman grew out of his shooting Amos Allen, young colored man, of 724 Willow street, in the back on the night of January 28. The wound kept Allen confined to the Knoxville General Hospital for several weeks and only the best of medical attention saved his life.

Attorney W. L. Porter represented Allen in the prosecution, and Huskey was defended by Attorneys Aaron McCarter, Oscar Rogers and George McDade.

Allen testified that he stepped out of the restaurant operated by Frank Stevenson at the corner of Water and Florida streets about 1:30 o'clock on the night of January 28. He got into an automobile occupied by Osborne Pope and Mattie Moran and after pushing the car off to get it started, he noticed some one flash a light on the side of the car.

"I looked around and recognized Patrolman Howard Huskey," Allen testified, "and before I could call on the driver to stop, I heard a shot fired and felt the bullet strike me near the center of my back."

Allen, Pope and Mattie Moran were riding on the front seat of a Ford touring car. The Moran girl told of jumping out of the car when the shot was fired and the defense, by their cross questioning attempted to show that the girl ran from the car with a jar of liquor under her arm.

Frank Stevenson, the restaurant proprietor refuted this statement, however, when he told that the Moran girl and Amos Allen had been sitting in his place for more than three hours before the time they stepped into Pope's car.

Several witnesses testified that Patrolman Huskey approached them in an effort to effect a compromise with Allen by paying a certain sum of money. Allen also told that the officer visited him and offered him five 20 dollar bills if he would leave the state and not press the charge against him.

Sues For $15,0000.

A suit against Patrolman Huskey for $15,000 was filed in Second Circuit court in behalf of Amos Allen on Monday morning. The amonut is asked as damages growing out of the shooting of Allen by the officer on the night of January 28. Allen has retained the law firm of Lee, Price and McDermott and W. L. Porter to represent him in the civil action.

122 NEGROES KILLED IN MEMPHIS IN 1930

Memphis, Tenn.—(CNS)—According to a recent homicide report, 150 persons were killed here last year and of this number 122 were Negroes. Memphis' population according to the 1930 census of 254,898. About 80,000 of this number are colored.

Chester Co. 4-2-31 Jerry

Police Officers Figure In Another Shooting, Civil Suit, Compromise

East Tennessee News 4-16-31

Allen Accepts $200; Drops Suits

Amos Allen, young Negro man who was shot and seriously wounded by Patrolman Howard Huskey on the night of January 28, slipped around to the home of the officer one night last week without consulting his attorneys and accepted the paltry sum of $200 as a compromise to drop the criminal and civil suits which had been started as the result of the shooting.

The officer was under a $100 bond, having been bound to th grand jury on a felonious assaul charge following the preliminar trial before 'Squire A. L. Wells Attorney W. L. Porter had bee employed by Allen to prosecute th charges against the officer. A civil suit for $25,000 had been in stituted in Circuit court in behal of Allen and associated with At torney Porter in this case was th law firm of Lee, Price, McDermot and Meek.

Knoxville News

Allen, after talking with Office Huskey, went to the home of At torney General Bibb and declared that he was desirous of dropping the charges. After ... ing the $200 the young Negr... rchased a second-hand Ford automobile, and according to Deputy-sheriff Felix Goins, he hauled several gallons of corn liquor to a house on Yeager street.

Attorneys for Allen immediately instituted a suit against him to collect their fee out of the money he received and when the case was heard on Thursday morning before 'Squire John R. Parker, judgement for the amout of the money due was rendered and the car which Allen had just purchased was taken in view of his having no funds.

It was at the trial that the officers served the warrant on Allen in the whiskey case and after he paid a bondsman and furnished a fee to employ a lawyer he was wholly without any of the compromise money whatsoever.

Court Awards Youth $200

James Long, young Negro elevator operator of the General building was awarded $200 as damages against Patrolman "Bid" Anderson, when the case was tried before Judge A. C. Grimm in Circuit court Friday.

The officer was charged with striking the youth with his "billy" in making an arrest.

"How much should the damages be?" Judge Grimm asked Attorney James O'Connor, who represented Long, after he had held that the officer made an unwarranted assault.

"I think that $200, the amount the justice of the peace awarded as damages would be satisfactory," the attorney answered.

"You are lucky," the court commented to Attorney E. L. Rogers, who defended the officer, "But for that concession it would have been more."

The Negro youth was employed by A. A. Chable, 710 West Hill avenue, and lived in the house. His employer had been to his plantation in Georgia and upon his return here accompanied by Long, he stepped in his house for a minute, leaving the youth standing on the outside. The officer approached Long and questioned him as a suspicious character, refusing to comply with his request to await the return of his employer. When Long insisted on his being allowed to call his employer, the officer struck him across the head with his club, inflicting a serious and painful wound.

Officer Seriously Wounds Boy

Patrolman Anderson was on the beat with Patrolman Howard Huskey on the night the shooting of Amos Allen was staged at Willow and Water streets.

James Hamilton, 18, Negro youth lies at the point of death in the Knoxville General hospital the result of a bullet being fired into his stomach from a pistol in the hands of Patrolman James Chesney. The bullet perforated the youth's intestines in several places and there is little hopes for his recovery.

Hamilton was walking along Market street near the post-office late Saturday night when several boisterous white youths accosted him and according to witnesses, proceeded to threaten and abuse him. The Negro youth is said to have drawn a knife and as his attackers ran away Officer Chesney came on the scene and is said to have ordered the boy to drop his knife. With pistol in hand the officer approached the Negro who was small of statue and could have easily been subdued by a blow from his baton, if such had been necessary. His order to drop the knife was coupled with the firing of a bullet into the youth's body.

Chesney Suspended.

Captain John Montgomery arrived on the scene shortly after the shooting and after interviewing several witnesses to the affair he immediatly suspended Chesney.

Chattanooga, Tenn. News
Saturday, April 25, 1931

YOUNG PRISONERS AT BRUSHY MT. THROWN IN WITH OLD CRIMINALS

Hardened Old-Timers Soon Corrupt Youths, Leaving No Chance at Reformation—Segregation Badly Needed.

(This is the second of a series of articles by a News reporter dealing with conditions at Brushy Mountain state prison. Others will appear from time to time.—Editor's Note.)

By CECIL HOLLAND

As long as present conditions exist, there can be no hope for reforming the prisoners in the Brushy Mountain branch of the penitentiary.

Occupying the closely cramped quarters that they do, with no segregation of the younger, first offenders from the old, hardened criminals, it remains impossible to reclaim the inmates.

Under present conditions prisoners might often leave the penitentiary worse enemies of society than they were upon their arrival. This is a condition for which no official, individual or group is responsible, but is the result of this state's neglect of her penal institutions for a long period of years.

The need for some means of segregating prisoners is clearly shown by a study of the groups that make up the population of the prison. Well over 500 of the number, according to the biennial report of the warden, are between the ages of 20 and 30 years. There are nearly 100 between the ages of 15 and 20 years. The report of the warden submitted to the commissioner of penal institutions shows the following age classification:

15 to 20 years	94
20 to 30 years	516
30 to 40 years	139
40 to 50 years	72
50 to 60 years	32
60 to 70 years	12
Over 70 years	7

In the Brushy Mountain prison there are a large number of prisoners serving second, third and even fourth terms. Many years behind the prison bars, these hardened inmates have become inimical to society. When the youthful wrongdoer, serving his first term for some minor offense enters the penitentiary, he comes under the influence of this group and upon leaving prison is probably a worse criminal than when he entered.

Have Scant Education.

Prison statistics show that the large per cent of the inmates are ignorant, or with the barest possible elementary education. The classification by the record clerk is as follows:

College	13
Common	462
Limited	147
No Education	189

The above figures are from the report at the close of the biennium.

What chance has the inmate of this prison to become re-established in society under such conditions? What opportunity is afforded him while in prison for educational and religious training?

Little Religious Guidance.

The answer is in the person of a lone minister who combines the duties of preaching, teaching and general handyman of the prison into one. Each Sunday he holds services in the tiny chapel of the prison, one service for the white inmates and another for the colored. Short services are held again on Thursday night. Night classes for the prisoners who have no education at all are conducted twice weekly.

One of the major recommendations of the recess committee on penal institutions was that the state take steps to segregate the younger prisoners from the more hardened criminals. It recommended the purchase of a farm a few miles from the prison, upon which could be placed the first offenders, thereby accomplishing the double purpose of segregation and relieving the congestion at the main prison.

Crime - 1931

Texas

MEXIA, TEX.
NEWS

JUN 6 1931

LAW AND ORDER WINS

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A Sherman high school boy, J. B. McCasland, is convicted in Austin of arson, and given two years in the penitentiary. A mob burned the court house at Sherman to be able to lynch a negro, locked in the vault of the public building.

Officers recall no other conviction in the state in a case growing out of the lynching of a negro for an attack on a white woman.

As outraging as the crime of the black was, it is well to learn that law and order reigns in Texas, and there is a limit to which even lynchers can go.

BLACK FACES

Four white men at Linden, Texas, blackened their faces and pulled caps down over their heads as they pounced upon J H Boyd, a white filling station operator, for the purpose of robbing him. Boyd was quick with his pistol and when the smoke of the gun fire of his handy six-shooter cleared away, three of his assailants lay dead and the fourth ran a short distance where he fell from the effects of a bullet wound. The filling station keeper phoned the sheriff that he had just killed four "niggers" who attempted to rob him. Upon the arrival of the officers they discovered that the dead men were made up as Negroes so that it was extremely difficult to detect their racial identity until the tight fitting caps had been pulled from their heads. At a trial of the surviving white robber, William Sullivan, he was sentenced to prison for five years for violating the Texas anti-mask law.

In Knoxville, a white filling station operator pulled his young wife to his side and fired bullets into her body until she was dead. A harmless and inoffensive Negro cripple who happened to be near him at the time was also fired upon and notwithstanding the excuse advanced by the station operator that "I found her with a Negro," he was properly held without bond pending the action of the Grand Jury.

But for the quick and deadly aim of the Texas filling station operator, some quartet of innocent Negro men, riding along the highway toward a camp meeting in a dilapidated Ford might have been pounced upon by a mob of blood-thirsty hoodlums and lynched after being accused of robbing the white man, and judging from local sentiment surrounding the slaying of his wife by the Knox County filling station operator, it is not believed that he will be successful in placing the blame for his terrible deed on the shoulders of the Negro.

Crime-1931

Virginia

Portsmouth, Va. Star
Sunday, January 18, 1931

LOCAL JAIL WOMANLESS ON JANUARY 1

At the beginning of the new year there were no white women or girls being detained at the Portsmouth city jail and only eight negro women. The other ninety-eight prisoners were all men, according to records maintained by City Sergeant R. E. Glover.

The negro population far exceeds that of the white, there being eighty-seven colored persons and nineteen white persons listed as prisoners. Of this number eight were negro women, nineteen were white men and seventy-nine were negro men.

During the year just closed Police Justice Harry Cuthriell sentenced 218 persons to the city jail for a period ranging from ten days to one year. Almost half that number were sent to jail by the Court of Hustings. Records of the jail, however, show that the population of the prison is constantly changing and that prisoners are being discharged almost as fast as they are received. It is not often that more than 125 are confined in the jail at the same time while the daily average is approximately one hundred.

The jail is so constructed that the white and negro prisoners are on different corridors and of course the male and female prisoners are placed in different sections of the building. The cells are along a long corridor so that those prisoners not confined to their cells may exercise by walking up and down the hallway. After dark, however, every prisoner is required to return to his cell and remain there until morning.

Deputy City Sergeant John Rice acts as bookkeeper for the jail and is the day jailer. At night the keys are turned over to Deputy L. C. Ellis, while James G. Talbot, senior deputy, is supervisor of all activities at the jail. In complete charge of all activities, however, is City Sergeant R. E. Glover, who was elected to that office by the popular vote of the people.

On Christmas Day the prisoners of the jail were served a full dinner from turkey to coffee and with everything in between that goes to make a banquet.

WINSTON SALEM, N. C.
SENTINEL

JUN 12 1931

Legal Complications

Complications in courts are always coming up, but we believe this is a new one, anyway it will cause persons who are contemplating appealing their cases to a higher court to stop and figure out what is to be lost, as well as what is to be gained.

A Richmond negro was sentenced to serve twelve months for violating narcotics laws. He has been in jail more than the length of the original sentence, but no report has been made on the outcome of his appeal. His attorney thinks he should be freed, because he has stayed in jail more than the length of his original term, in fact he has done six extra weeks.

Sometimes crowded dockets make it necessary for an appeal to be carried over from one term to another. This seems to be an unusual incident. Anyway, we believe the negro will figure twice next time before appealing. Then, too, it might be well for him to remember that sometimes when cases are heard in "higher court" more evidence comes out and the sentence is even longer than in the lower courts.

ASKED SON TO KILL DAD

Mother Finally Hired Negro for Murder, Boy Testifies.

AMELIA COURTHOUSE, Va., Aug. 29.—(AP)—Robert Jones, Virginia Polytechnic Institute cadet, testified in court here today that his mother, Mrs. Jeston Allen Jones, charged with the murder of her husband, J. Will Jones, not only told him that she planned to hire a negro to kill his father, but that she urged him to commit the crime.

He said that his mother told him at Christmas that she planned to get Richard Lee, a negro farm hand, to do the killing.

Jones was found shot to death the morning of Jan. 9. Lee is now serving a 20-year sentence for the crime.

Justice For Almost All

By MARVIN HALL

A white banker embezzles nearly one hundred thousand dollars entrusted to his bank by its depositors. He gets ten years in the penitentiary.

Two Negroes break into a filling station at night and steal cigars, cigarettes, candy and canned goods of relatively trifling value. Another Negro steals a shotgun from a member of his race. The three get fifteen to twenty years each.

This is not a fairy tale. The first case actually happened in Bibb county, Georgia, within the twelve-month. The other two occurred in Peach county, Georgia, last week.

They would be bad enough if they stood alone But they are typical. The white man's crime ruined scores of innocent people. The Negroes's crimes injured no one except the two or three persons immediately involved, and the damage done to them was comparatively unimportant.

Nor is this all. In such cases, the subsequent history is usually about as follows: The white man has influential friends. These bestir themselves and a pardon results. The Negroes are friendless. The world forgets them, and they rot their lives away in stinking prisons.

And this is justice! Justice, whose seat is said to be the bosom of God, whose voice is said to be the harmony of the world. The law is tender with white criminals of respectable antecedents. It punishes the poor and lowly, particularly if they happen to be black, with savage brutality.

I do not say that white embezzlers should be treated with greater harshness. I do insist that severity of punishment ought to bear some just proportion to the gravity of crime. And I think that justice should be tempered with mercy to all men alike.—Macon Telegraph

Wisconsin

Crime-1931

Three Officers Injured In Fight With Negroes

Oshkosh Times

MILWAUKEE, WIS., Aug. 5.—(AP)—More than 200 negroes battled a dozen policemen in the street here tonight when the officers attempted to arrest William Jones, 38, for creating a disturbance. Three policemen were slightly hurt and three negroes were arrested. 8-5-31

Two officers were about to place Jones, who recently served a sentence for drunkenness, in their car, when a crowd of other negroes closed in on them. Other policemen came to their aid and negroes flowed out of houses in three adjoining streets. Several other squads were called before order was restored.

The fighting was solely with fists.